DRUG PREVENTION, REHABILITATION, INTERDICTION, AND LAW ENFORCEMENT
(Corpus Christi, TX)

HEARING

BEFORE THE

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL HOUSE OF REPRESENTATIVES

NINETY-EIGHTH CONGRESS

FIRST SESSION

DECEMBER 12 AND 13, 1983

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DRUG PREVENTION, REHABILITATION, INTERDICTION, AND LAW ENFORCEMENT

MONDAY, DECEMBER 12, 1983

House of Representatives,
Select Committee on Narcotics Abuse and Control,
Corpus Christi, TX.

The committee met, pursuant to call, at 9:30 a.m., in room 221, Bay Plaza Convention Center, Corpus Christi, TX, Hon. Charles B. Rangel presiding.

Present: Representatives Charles B. Rangel, Sam B. Hall, Jr., Solomon P. Ortiz, Benjamin A. Gilman, and Kent Hance.

Staff present: Richard Lowe, chief counsel; Jack Cusack, chief of staff; Elliott Brown, minority staff director; Michael J. Kelley, counsel; and John J. Capers, chief investigator.

Mr. Rangel. Good morning, my colleagues and friends from Corpus Christi. We thank you for joining with us this morning, and we're going to see whether or not we can find some answers to the awesome problems facing our Nation today in drug abuse.

The Select Committee on Narcotics Abuse and Control is in Corpus Christi because of the efforts of your outstanding representative in Congress, Solomon Ortiz, who, I must say, more than any other member of the committee tried to get on the committee when it was reconstituted and brought a very special type of expertise to us because of his unique background and the fact that he is one of our outstanding new Members to the Congress and especially to this committee.

Because of that, we were persuaded to change our schedule to make certain that we gave the priority to Corpus Christi that he thought it deserved.

We recently completed hearings in October in Florida and learned of the enormous influx of drugs that are coming in from South America where we also made a study and were notified, in no small terms, that we should expect bumper crops of marijuana and cocaine.

The success that we've had in Florida, there's been some question as to whether or not it's just spread from the Floridian area to the east coast and to the gulf coast. And, of course, we're anxious to see whether or not there has been an adverse impact in this area.

Our committee is also concerned with the amount of heroin and marijuana that is coming across the border.

And while this committee is the first to admit that we've had our failures and successes in terms of our friends in Mexico, it really doesn't help much to see brown heroin and marijuana still coming across the border in unmanageable amounts. Mexico is one of the few countries to commit not only its resources, but enter into bilateral agreements with the United States to make it look as though we can have some type of objective eradication.

We want to look at reports of heroin addiction in the Brownsville area, including drug treatment and prevention activities in the region and the need for comprehensive drug education.

These are not theoretical concerns. In 1982, the last year for which figures are available, there were 1,735 drug abuse related emergency room episodes in Dallas, while in San Antonio in 1982, there were 1,226 emergency room episodes.

The medical examiner in Dallas in 1982 reported 47 drug-related deaths. In San Antonio, there were 46 drug-related deaths.

These figures graphically show the seriousness of the drug abuse threat.

After hearing from the mayor of Corpus Christi, Mr. Luther Jones, we'll receive testimony from various Federal officials representing the spectrum of Federal concern about illegal drug trafficking and drug use. The Federal witnesses will range from Mr. Daniel Hedges, U.S. attorney for the southern district of Texas, to Rear Adm. William Stewart, the Coordinator of the National Narcotics Border Interdiction System for the Gulf Region.

From these Federal officials, we want information on the extent of drug trafficking in south Texas, the method of operation of the traffickers, and what additional resources are necessary before we are able to make a dent in the problem we are facing. We particularly want to have information as relates to NNBIS. It was formed for the specific purpose of interrupting and impacting the smuggling of drugs into this country. We have questions of how effective it is and how its functions differ from the other task forces that have been formed.

One of the issues that we want to explore with the panel of local law enforcement officials is the extent of cooperation, including sharing of intelligence information that they've had with the Federal law enforcement officials.

I might point out that this committee has been disappointed with the degree of cooperation that we've seen in Florida, California, and other areas.

This afternoon we'll focus on drug abuse treatment and prevention activities. From those witnesses, we want to learn which drugs they encounter most frequently in treating drug abusers, what impact the passage of the alcohol, drug abuse, mental health block grant has on the availability of drug abuse treatment and prevention activities in south Texas.

Finally, we'd like to know what the witnesses would think of the Federal drug strategy which has been created by this administration.

Tomorrow we'll receive testimony from representatives of local communities and school districts to see the impact of drug abuse, and, once again, we'll examine the drug law enforcement issues. This time, with Texas law enforcement officials.

Our hearings will conclude with a panel of State representatives who are concerned about drug trafficking.

Since both the ranking minority member of our committee and I have served in the State legislature, we respect and appreciate the fact that so many of you have taken time out to share your views with us, because in the final analysis, you are faced with the problems on a day-to-day basis. And we feel it's up to us to provide the resources for you to be able to do a more effective job.

Before I call on Mayor Jones, I, again, would want to thank Solomon Ortiz for bringing us here.

I have to be very candid in saying that when we had our reapportionment in the State of New York and found out we were losing five outstanding world leaders, in terms of Congressmen, we were a little upset to find that the sovereign State of Texas was picking up three of them. [Laughter.]

I'd like to say that the quality that you bring to the Congress makes the pain a little easier to bear.

I'd like to recognize Benjamin Gilman, the ranking Republican member of our committee.

[Mr. Rangel's opening statement appears on p. 135.]

OPENING STATEMENT OF HON. BENJAMIN A. GILMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. GILMAN. Thank you, Mr. Chairman.

I want to associate myself with your remarks and commend you for arranging this hearing on drug trafficking and abuse in the Texas gulf coast area.

I want to commend our colleague, Congressman Ortiz, for his efforts in encouraging and helping to arrange for these hearings of our select committee to spotlight the drug trafficking problem in the Corpus Christi and gulf coast region.

I certainly welcome our good colleague, Kent Hance, in joining us today and thank him for taking time out from his schedule to participate in this hearing.

Narcotics trafficking and drug abuse has certainly reached epidemic proportions from the gold coast of Florida to the gulf coast of Texas, from New York to Los Angeles, throughout our Nation and throughout the world.

Unfortunately, we find that we've only been making too small a dent in combatting this deadly menace that's been undermining our political and our economic and our social institutions and creating havoc for our citizens, many of whom erroneously believe that the way to escape the pressures of society and to seek some form of relaxation is through the abuse of drugs.

Out of a total population, I guess it's about 14.5 million in the State of Texas, it's been estimated that there are as many as 700,000 drug abusers.

Our Narcotics Select Committee has been investigating some of our Nation's hot spots in the trafficking of narcotics. Earlier this year, our committee held hearings on the domestic cultivation of marijuana in California, where our committee observed firsthand the massive marijuana fields and the sophisticated operations of marijuana growers in the northern California region.

In our recent investigations in south Florida, we received testimony on the disrupting effects of narco dollars on local communities and heard State and local law enforcement officials complain about the lack of cooperation with the Federal drug law enforcement agencies.

During the summer recess, our committee met with the heads of the drug-producing nations in Latin America, where we tried to encourage them to eradicate narcotics at their source.

Today we'll be focusing our attention on drug trafficking and drug abuse in the Texas gulf coast area to determine, among other things, the magnitude of the trafficking in this region and the extent to which these drug traffickers are shifting their operations in south Florida to this Texas gulf coast region.

The proximity of Corpus Christi to the border areas is a source of concern for all of us, and while the Mexican Government has been cooperative in their efforts to eradicate the illicit cultivation of marijuana, we have been receiving some disturbing reports of late of increased border trafficking in heroin, cocaine, and other dangerous substances.

This committee and our colleagues in Congress are anxious to determine how we, as a nation, can more effectively combat drug trafficking, the sordid business activities that bring so much misery to so many of our citizens and how we can best develop more effective drug prevention, better treatment, and better rehabilitation services, and programs to warn our citizenry, particularly our young people, of the dangers of drug abuse and to try to help those who have become dependent upon this deadly substance.

Mr. Chairman, we look forward to hearing from our panelists from Federal, State, and local levels to learn of their efforts to combat drug trafficking and abuse and, most important, what we, as lawmakers, can do to assist them in their efforts.

Thank you, Mr. Chairman.

[Mr. Gilman's opening statement appears on p. 139.]

Mr. RANGEL. Thank you, Mr. Gilman.

The Chair recognizes Congressman Kent Hance from Texas.

As most of you know, all of us have legislative committee responsibilities and volunteered to serve on the Select Committee on Narcotic Abuse and Control.

I'm happy on my Ways and Means Committee, which has tax jurisdiction that one of my friends and colleagues on that committee is Congressman Kent Hance, who is just joining with us today because of his concern with this very serious problem.

OPENING STATEMENT OF HON. KENT HANCE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Mr. HANCE. Thank you very much, Mr. Chairman. I appreciate being here and appearing with your committee, and also being in the district of my good friend, Solomon Ortiz.

Solomon is doing an outstanding job for this committee and for this district, and I'm also honored to be here with Mr. Gilman from New York.

I think that the problem of drug abuse is a problem that affects every person in this State and every person in this Nation, either directly or indirectly. If it's not directly affecting you, you're indirectly affected by the tax dollars that we spend, by the amount of money that we have to spend in rehabilitation.

Hopefully, with some of the recommendations that Solomon Ortiz has come forward with, we can make prevention the No. 1 item of cure and adjust rehabilitation accordingly. It would save the taxpayers lots of dollars if we are able to do this.

I appreciate the opportunity to be here and look forward to hearing each and every witness.

Thank you, Mr. Chairman.

Mr. Rangel. Before we start our witnesses and before I recognize Solomon Ortiz for the purpose of making his opening statement and introducing the mayor, I would like to point out that the committee has taken on a very ambitious schedule here for 2 days, and because of the deep interest and so many witnesses wanting to make a contribution, we're going to ask that the committee members, by unanimous consent, allow the entire prepared statements to be entered into the record and ask our witnesses whether they would consent to confine their testimony to 5 minutes so that the panel members will have an opportunity to question and get some of the answers to questions we have.

I would like to point out that when the committee leaves, we just don't leave entirely because Congressman Ortiz has promised to have his staff to serve as a liaison to us, and if there are other questions, we have our chief of staff, Jack Cusack, our chief counsel, Richard Lowe, our ranking Republican counsel, Elliott Brown, and our staffs are prepared to receive information from those people who are not scheduled to testify but may want to make a contribution.

Once again, I thank Congressman Ortiz for his efforts and recognize him.

OPENING STATEMENT OF HON. SOLOMON P. ORTIZ, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Mr. Ortiz. Thank you, Mr. Chairman, and good morning.

I want to welcome Chairman Rangel, we pronounce it Ran-hel' [phonetically, Spanish pronunciation] in south Texas, Mr. Chairman, and my distinguished colleagues to Corpus Christi.

It is, indeed, a pleasure and an honor for you to be in our beautiful city today.

I also want to welcome those of you who have so graciously agreed to participate in this most important venture.

Thank you, Mr. Chairman, for conducting these hearings. Both the residents of Texas' 27th District and I deeply appreciate your willingness and that of the Select Committee on Narcotics Abuse and Control to examine drug trafficking and abuse on the Texas gulf coast.

I also wish to express my thanks to my colleagues for joining with me in examining the issues of drug use and abuse.

The select committee's primary objective for the 98th Congress is the development of a Federal strategy for the prevention of drug abuse and trafficking. In its efforts to accomplish this goal, the committee has initiated and participated in several activities.

A series of hearings were held to evaluate the performance and effectiveness of Federal drug programs and their administering agencies.

The committee has also studied the domestic cultivation of marijuana.

Additionally, it has examined international narcotics programs, drug smuggling in Florida, drug treatment and prevention programs, and evaluated education programs.

To assist in fulfilling the overall mission of the committee, we have scheduled these hearings in Corpus Christi, and we intend to focus on several areas during the next 2 days.

We will examine drug smuggling and trafficking in south Texas and its relationship to the nationwide distribution system.

We will study the drug addiction problem in south Texas and evaluate treatment and prevention programs.

We will focus on soliciting information from administrators, educators, and parents in order to develop comprehensive drug education legislation.

Now, we are all aware of the growing problem in this area of narcotics trafficking and drug abuse. The problem affects every segment of our society from the very young to the very old.

The recent bumper crop of coca plants in South America and in marijuana and poppy fields in Mexico, along with inadequate law enforcement at all levels and political instability in these countries, has led to the increasing supply of narcotics available in south Texas.

Because of greater quantities, the price of these and other drugs is steadily dropping, thereby increasing their availability to a greater number of people.

Unfortunately, we now have children 9, 10, and 11 years of age experimenting with drugs and alcohol.

We all know that there is a serious drug problems in our country. Previous testimony has revealed the need to educate our schoolchildren, an education that must begin early in their life. It should be a joint effort between parents and educators—it must involve the entire community.

The question becomes, "What should be the curriculum, and when do we begin this educational process?"

Hopefully, during the course of these hearings, the witnesses, especially the educators, will provide the necessary guidance.

Another problem in the area is the lack of available treatment. There are too few facilities to serve the many people requiring services and not enough money to treat them properly.

It is my sincere hope that the proceedings today and tomorrow will assist the committee in gaining a better understanding of the serious problems in the area and provide input for finding a satisfactory solution.

Again, I thank all of you for attending. With your help, I feel confident that this endeavor will prove productive and successful for all concerned.

At this time, I would like to introduce a dedicated public official, my good friend, Mayor Luther Jones.

[Mr. Ortiz' opening statement appears on p. 142.]

TESTIMONY OF HON. LUTHER JONES, MAYOR OF CORPUS CHRISTI, TX

Mayor JONES. Chairman Rangel and gentlemen of the committee, it's my great privilege as mayor of the city to welcome you to our city.

I suppose, under these circumstances, mayors are supposed to brag a little bit, but you have told me that 5 minutes is all we're going to have. Senator Truan was substantially worried about the 30 minutes that was shown in the program, so I'll confine my comments to that 5 minutes.

I don't think you can avoid thinking in terms of the beauty of where we are sitting right now and the beauty of where you stayed last night at the hotel.

There's a lot of things that I could say about our city, but I think that Corpus Christi Bay, that 15-mile expanse of water, has had over 600 oil and gas wells drilled in it, that there's 200 gas wells and oil wells producing out there today, and when you get back to Washington—and I lived up there for 6 years, and I know how deep the snow gets in that part of the country—that I hope that you will remember that Corpus Christi and that beautiful bay down here produces a substantial portion of the gas that comes your way. We're proud of that, and we're proud that it's been done without any adverse effect on the environment.

The citizens of this community have a substantial investment in this convention center, and to keep our city beautiful is one of our prime objectives.

We're also proud of Solomon Ortiz. Solomon started his political career in Nueces County as a constable. He was elected to county commissioner. He was then elected as a sheriff. And he has never lost an election, and he has never lost his contact with his constituents in our community. And we're extremely proud of him.

We're proud that you saw fit to bring this committee to our city.

The witnesses that are going to testify today in substantial detail on a number of items, but I'd just like to mention, within the 5 minutes, a few.

There's 1,250 to 1,500 heroin addicts with an average of a $350-a-day habit in Corpus Christi. There's seven deaths in this city that appear to be drug overdoses from January to October of this year.

The Corpus Christi Independent School District drug policy instituted in May 1981 has led to 42 suspensions of students for drug and alcohol abuse; 31 of these suspensions were marijuana related; 6 were alcohol related; and 5 were related to drug paraphernalia.

The Corpus Christi Police Department has made 1,362 drug-related arrests between January and November of this year. Forty percent of these arrests were associated with marijuana; 3 percent with cocaine; 3 percent with speed; and 4 percent were related to heroin.

Our police department believes that these statistics reflect the general ratio of usage of these drugs in the community and predict a rise in the use of cocaine as the drug becomes more readily available and, tragically, more popular among even professionals in the city.

One last sobering local statistic, the methadone clinic for the Coastal Bend, an agency federally funded to treat 105 clients per month, currently treats 125.

I would like at this time, if I may, to approach the bench and present to our distinguished Congressmen a key to our city, which can be worn as a tie clasp, and say again to you gentlemen, we are honored that you come to our city and that you come here to listen to this problem as it affects us and as it affects the entire Nation.

Thank you.

[The prepared statement of Mayor Jones appears on p. 145.]

Mr. RANGEL. Mr. Mayor, what were you saying about the rehabilitation clinic?

Mayor JONES. It is staffed for 105 clients per month, and it treats 125.

Mr. RANGEL. Well, do you receive any State or Federal assistance for the operation of this clinic?

Mayor JONES. Yes, we do.

Mr. RANGEL. And has there been an increase in the number of services that you have been able to provide in the city of Corpus Christi for drug addicts or preventive care?

Mayor JONES. No, sir. And the funds have not increased.

Mr. RANGEL. And then, the reduction of Federal funds, you have felt the impact locally in your city?

Mayor JONES. Yes, sir. And I would add that it's probably very difficult to determine the extent of that impact. The statistics I just quoted, I think probably, are the closest I can come to answering that.

Mr. RANGEL. Has the State legislature attempted to make up for that shortfall in Federal funds?

Mayor JONES. To my knowledge, they have not, but I would—I cannot say positively. I know that it has probably been discussed. I also know that there are substantial other critical needs in connection with State funds, such as, teachers salaries and highway repairs.

Mr. RANGEL. Well, in the school system, do you have a prevention program?

Mayor JONES. Yes, sir, we do.

Mr. RANGEL. And how is that paid for?

Mayor JONES. It's paid for by the Corpus Christi Independent School District. And there are probably some Federal funds, but the extent of that, I don't know, sir.

Mr. RANGEL. And the rehabilitation clinic that you have, that's the one you mentioned.

Mayor JONES. Yes, sir.

Mr. RANGEL. Mr. Gilman.

Mr. GILMAN. Mayor Jones, do you feel that you are getting the kind of cooperation that you need from the State and Federal authorities with regard to your drug problem?

Mayor JONES. I have had no report of anything less than complete cooperation, and I think we have it in this community.

Mr. GILMAN. And are the agencies responding to you by way of material needs, funding? You state you're short on beds in your clinic and some of these other areas. Do you find the State agency responding to your needs?

Mayor JONES. I'm not aware of any State funds that are coming into that program. The speakers that follow me can specifically talk to that. I would say this: There are no city funds that are going into that program.

Mr. GILMAN. Well, how do you finance your rehab program?

Mayor JONES. It is Federal funds, and there are United Way funds also involved in this program. The United Way funds, I would say, are relatively small because the problem is rather large.

Our total United Way budget is about $2 million this year for all 60-some-odd agencies.

Mr. GILMAN. I take from what you're telling us about the 1,300 drug-related arrests and the rise in cocaine use that you have serious drug abuse problems in the area.

Mayor JONES. We believe we do.

Mr. GILMAN. Is this problem receiving the kind of priority that you would like it to receive at the State and the county level?

Mayor JONES. I believe it is, sir, and I think that your presence here, I think the presence of our State representatives here indicates that it is receiving that kind of attention.

Mr. GILMAN. Thank you.

Mr. RANGEL. Mr. Ortiz.

Mr. ORTIZ. I don't have any questions.

Mr. RANGEL. Mr. Hance.

Mr. HANCE. I don't have any questions.

Mr. RANGEL. Mr. Mayor, I'm anxious to receive this key that you brought us.

[Presentation.]

Mayor JONES. It's a symbol from the citizens of Corpus Christi that says: Welcome to our city, and we hope you enjoy your stay, and we want you to come back again.

Mr. RANGEL. On behalf of the committee and our staff, we want to thank you for the courtesies already extended. Thank you very much.

Mayor JONES. And one for you.

Mr. GILMAN. Thank you.

Mr. RANGEL. You've got to get elected, I guess, to get one of these, Mr. Hance.

Mayor JONES. Thank you very much.

Mr. RANGEL. I assume Mr. Ortiz already has the key.

Mayor JONES. Well, he deserves one.

Mr. RANGEL. We've had a change of schedule at the request of Congressman Ortiz, and so, the committee is now prepared to listen to Senator Carlos Truan.

TESTIMONY OF CARLOS F. TRUAN, STATE SENATOR, 20TH SENATORIAL DISTRICT, CORPUS CHRISTI, TX

Senator TRUAN. Thank you very much, Mr. Chairman, members of the committee, and thank you very much my own Congressman, Congressman Ortiz, for this opportunity and this courtesy extended to me to appear before you today.

I also want to echo what the mayor stated earlier, and I want to welcome you to Corpus Christi and south Texas and the 20th Senatorial District that I am privileged to represent in the Texas Legislature.

My name again, for the record, is Carlos F. Truan. I am the State Senator for the 20th Senatorial District of Texas, and I've served in the Texas Legislature for the past 15 years.

My perspective of the subject of your hearings is grounded in both my chairmanship of the Texas Senate subcommittee on public health and my vice chairmanship of the senate education committee.

Because I thought that this perspective might be too narrowly focused to tackle that part of the subject matter dealing with drug trafficking, as distinguished from drug abuse, I consulted with a number of experts. I picked the brain of people, such as, our district attorney, Grant Jones, and I consulted with Dr. Phil Rhoades, member of the criminal justice faculty at Corpus Christi State University, as well as Dr. Fred Cervantes, a political science professor at Corpus Christi State University. What they told me has been invaluable in helping me articulate the message that I am about to give you, and the message is:

The Texas Department of Community Affairs estimates that over 700,000 Texans are in need of drug abuse treatment. Over half a million young people, aged 12 to 17, are at risk of becoming dependent on drugs and require prevention services. And, as many as 14,000 people, aged 12 to 17, may be added each year to Texas as they reach the drug-abuse age.

I would give you no more statistics, as they will be covered in depth, I understand, by the director of Drug Abuse Prevention Division and the Texas Department of Community Affairs.

I was encouraged to read that our Congressman Ortiz plans to introduce legislation to promote drug education in public schools, because that is the heart and the soul of the feedback I obtained when talking to drug enforcement officials in preparing this testimony.

One would have thought that law enforcement authorities would be heartened by the emphasis on drug law enforcement in the past 3 years. There has been a 30-percent reduction in funds for drug prevention, and, at the same time, there has been a 30-percent increase to drug law enforcement. Universally, however, I find great dissatisfaction with this. No one has told me that they had witnessed a reduction skewing of funds. Likewise, I find that the strongest proponents of drug abuse education in the schools are, indeed, prosecutors and law enforcement officials.

So, there is, indeed, no satisfaction, across the board, for reduction of funds in this area.

May I urge a balanced approach. That translates into no decrease in emphasis on drug treatment and prevention services, and, in fact, an increase in funds for drug abuse education in the public schools as Congressman Ortiz proposes.

Dr. Phil Rhoades tells me that when we get back to a sound program of sound drug abuse education in schools, the information provided should be less in the way of fear tactics and more in the way of accurate descriptions of the negative effects of drugs on the human body. He also emphasizes the need to expose students to some education in law enforcement as part of the drug educational program in schools.

I think that this is a very constructive idea worthy of your consideration.

Peer group programs in schools have been proven to be effective, and education in schools should start in the fifth or sixth grades, or even sooner.

Everyone with whom I have consulted, and, particularly, our district attorney, Grant Jones, from this county, strongly emphasized that there is a definite relationship between alcohol abuse and drug abuse among many young people and that it would be evading the issue entirely and defeating our own purpose if we fail to include alcohol abuse in any expanded education program on drugs.

In closing, let me again plead for a balanced approach. No one begrudges any money spent on law enforcement efforts to apprehend and convict drug traffickers. However, we must dry up the future part of those traffickers by a comprehensive program on drug abuse education that begins in the fifth or sixth level, which definitely includes alcohol abuse and which also explains the role of law enforcement and obedience of the law in our society, so that our young people will comprehend the role of the criminal justice system.

Likewise, no one can begrudge the spending of money on treatment and rehabilitation of drug abusers. But I think that we have neglected prevention and drug abuse education in arranging our funding priorities.

I hope that this committee of the Congress will take the lead in rearranging those priorities.

Thank you.

[The prepared statement of Senator Truan appears on p. 150.]

Mr. **Rangel**. Thank you, Senator.

It shouldn't take political courage to make that statement, but I do know that it's more popular to talk about guns and police and prisons than it is to talk about preventing the need for kids to be involved in crime or drug abusers.

Having said that, however, that flies in the face of the administration's posture, and that is that the emphasis is on law enforcement. And while there has been a reduction in Federal funds available, the administration's position is that by having the block grant and having mental health, alcohol, and drug abuse dollars all be passed on to the State that those of you on the local level will decide your own priorities and where there is a shortfall, it should be made up by charitable contributions or, a word that Mrs. Reagan likes to use, volunteerism.

Have you seen this gap in the reduction in Federal assistance being closed by State aid and volunteerism?

Senator **Truan**. On the contrary, Mr. Chairman and members. We in Texas had, for too long, enjoyed a great prosperity in business as a result of our oil and gas revenues, but unfortunately, like every other State, we have felt the problems of inflation and the problems associated with the economy.

We in Texas now are having to deal with more than a $3 billion drop in our estimated revenues, to the point where we were not even able to allocate the necessary funds this year in our biannual session of the legislature in order to finance the needed increases in the salaries, just for teachers, much less providing additional moneys to make up for the loss of Federal dollars.

We do not have, at the present time, the necessary financial resources in order to fund adequately those programs that have been reduced through the Federal budget cutbacks.

Mr. RANGEL. Then, would you disagree with the administration's posture that drug addiction is a local and State problem and not a national problem?

Senator TRUAN. I think there is no doubt that it is, indeed, a national and international problem and that we may be able to do some justice at the State and local level, but it needs a concerted and coordinated effort and primarily led by our Federal Government and the Federal Congress, and with the leadership of the administration, in order to tackle the problems that are far too big to stop at the border of a particular state or a particular local school district.

Mr. RANGEL. Mr. Gilman.

Mr. GILMAN. Thank you, Mr. Chairman.

Senator Truan, the State has a great deal of discretion, of course, in how it uses a block grant money. When there was something of a cutback in the block grant money, did the State make an effort to increase its resources for drug abuse in prevention and education?

Senator TRUAN. We were able to pass a number of bills into law that primarily led toward the trying to get people aware of how to deal with the problem at the local level.

But when it comes to the money part, the financial part, our school districts have been hardpressed to keep up with inflation and the high cost of living. And the property tax, the ad valorem tax, which has been the primary source of funding at the local level for financing of education, has not produced the necessary funds to finance the management and operations of the school districts, much less trying to add additional moneys in this particular area.

At the State level, we have tried to keep up with the obligation we have to finance about 80 percent of the cost of public education in the State, but, unfortunately, we have not been able to fund the program adequately of drug abuse education and prevention, principally because we do not have, at the present time, the necessary financial resources.

Mr. GILMAN. When there was a Federal cutback, what I'm trying to elicit from you, was there any equivalent increase in State funding for these programs? Was there any increase in funding?

Senator TRUAN. There have been—there had not been an adequate funding for the program even before the Federal budget cutbacks, but the Federal budget cutbacks further added to the problem.

Mr. GILMAN. What did the State do to respond to that need for increased funding? Did they do nothing? Did they just leave it at the bare level? Did they decrease it? What was the State's approach to the problem?

Senator TRUAN. Let me say that we tried to attack the total problems of education in the State. In my role on the education committee, I recall trying to come up with the necessary funds to make up for the loss in revenues from the Federal budget or the Federal Congress.

The unfortunate thing is that we have yet to address the particular financial needs of public education in the State of Texas. We, at the State level, did not do justice to the financing this year of just salaries and maintenance and operation, and we still need to go back in special session, Mr. Gilman, and deal with the total financing of public education.

Mr. GILMAN. So, what you're saying, Senator, is that the State did not respond to the reduction and sort of left it at status quo; is that correct?

Senator TRUAN. Well, we have had a problem at the State and local level with respect to the moneys that are available. We have depended, I guess like other States, on the Federal Congress, also, simply because our problem of drugs and the need for education and services are more than the present budgets have been able to adequately meet in meeting our obligation at the State and local level.

Mr. GILMAN. At the State level, do you mandate a drug education program in the educational system? Is there a mandated program?

Senator TRUAN. We had a law passed several years ago that would have required the program being mandated in the early grades in order to get our young people to understand, as I indicated in my testimony, the evils of drugs and alcohol.

And the unfortunate thing is that we have not had enough funds at the State level to give to the local school districts, and the local school districts have been hard pressed with their reliance on ad valorem taxation to keep up with the rising cost associated with public education.

The public schools, just like the State, have been relying on the Federal budget in order to assist with those moneys that are sorely needed and, of course, are very much missed with the reduction in funds.

At the same time, the Block Grant Program at the State level, has—is relatively new to the States, I assume, across the country, and we are dealing with the mechanics of how to implement those programs at the State and local levels.

Mr. GILMAN. Well, essentially, it was intended to give the State a great deal more discretion in how to allocate the dollars coming back from Washington. I would assume, from what you're telling me, you still have to work out the guidelines in order to get a better allocation of funding.

Is that a proper interpretation of what you're saying to us?

Senator TRUAN. Well, while that is still correct, the problems associated with those funds is that they are less than what we were getting before, and the school districts across the State were operating, for the most part, on a shoestring budget, with a few exceptions of some affluent school districts that are allowed to increase their local enrichment moneys to make up for lack of State and Federal funds.

Mr. GILMAN. But, essentially, you really don't need much funding to ask your teacher to include in the curriculum some drug education program, do you?

Senator TRUAN. Well, you do need to have the proper materials and the proper preparation of teachers, which requires additional funding in order to do those things, Mr. Gilman. In order to be able to adequately carry out a program and not just give it lip service and not just put on a superficial program which will serve nobody's interests, I think we need to address the problem with adequate funding in order to prepare the teachers and in order to prepare the materials, which all require money.

Mr. GILMAN. My time is running, and I just want to state this: Apparently, you've had that law on the books for quite a while. I would hope that there had been some funding going into that program, and I don't know that what has happened at Federal level would reduce any of that kind of funding.

Senator TRUAN. What has been done at the Federal level has multiplied the problem, because we've already been strapped for funds at the State and local levels.

Mr. GILMAN. What we have found in other areas is that the State education programs are not giving the kind of priority that's needed to these kind of programs that are so sorely needed.

And you pointed out that some of our law enforcement officials continually point out a need for more education at lower level, and I would hope somehow that you and your colleagues could encourage that.

I know my time has run, and I thank you, Mr. Chairman.

Mr. RANGEL. Are there any other questions?

Mr. ORTIZ. I would like to ask, to what extent do we have such training at the public school system? How far do they go to enforce drug prevention in school?

Senator TRUAN. I think the project at the State level has been to offer assistance to the local school districts, but with the lack of sufficient financial resources, the program has not been able to get implemented in the schools across the State as well and as efficiently as they would be if we had a total commitment in this area, both at the Federal and State level.

Mr. ORTIZ. Do you think that there is a possibility that we need some type of curriculum in the school system?

Senator TRUAN. Well, we need to have it put together. I think the Texas Education Agency will be testifying on what they've done, and I know that both the Texas Education Agency and the Texas Department of Community Affairs have programs that are being put together and have been worked on in order to help school districts across the State.

I think we need a total coordinated commitment, Congressman, and I would hope that legislation would be approved by your colleagues and would be funded adequately in order to make sure that everyone understands the value of a preventive type program, instead of waiting until there is some crisis to try to address the problem.

Mr. ORTIZ. This is very true.

Now, you mentioned something about the fifth and sixth grades, am I correct?

Senator **Truan**. Yes.

Mr. **Ortiz**. In some of the hearings that we have held, we have seen children at 9 and 10 years of age who are already experimenting with drugs.

What we're looking at is legislation that would affect an earlier age, just like we teach a young one to brush his teeth, comb his hair, and salute the flag.

I feel that we have a responsibility to teach children at a younger age to stay away from drugs. If we can get educators to testify, perhaps we can get some more input.

But you would be in favor of something like this.

We're looking at a pilot program since it would be very hard for the Federal Government to mandate to the school district and to the State what to do and what kind of programs to put together.

Senator **Truan**. I understand.

The statistics point out that more and more younger children are involving themselves with drugs, and as a result, that carries on. And the problems in the future are liable to be even worse than they are now.

And I think the program needs to be extended, if I may, even into the adult parents to make them aware of what their children are taking up in school, and, perhaps, it might make them even more aware of the need to have the kind of home environment that will bring about a greater awareness on their part that will transcend to their children.

I happened to have authored the Texas Adult Education Act, and we ought to incorporate as much of this, also, into the adult education curriculum, if I may include the adult education needs of this state, as well.

Mr. **Rangel**. Thank you, Senator.

Mr. Hance.

Mr. **Hance**. Thank you, Mr. Chairman.

I certainly am glad to see my former colleague.

One thing that I would just mention, and I think it's good that you mentioned it is alcohol abuse. I think that when we talk about drug abuse some people have a tendency to forget that alcohol is also a drug that can be abused.

We have seen more and more drinking activity by teenagers in the high schools, and now many States are moving to change the drinking age to 19 or 21.

So, alcohol abuse is also an issue that I appreciate your addressing. Thank you very much.

Mr. **Rangel**. Thank you, Senator, for your contribution.

Senator **Truan**. Thank you very much, Mr. Chairman and members of the committee.

Mr. **Rangel**. The chair would like to call Mr. Marion Hambrick, the Drug Enforcement Administration, agent in charge of the Houston, TX area, if I might.

We'll have a panel here, and we'll reserve our questions until after we've heard all the testimony.

The U.S. attorney for the southern district, Mr. Daniel Hedge also from Houston.

The Regional Commissioner of Customs, Mr. Donald Kelly.

From the Eighth Coast Guard District, Rear Adm. William H. Stewart. Thank you for making the trip from New Orleans.

And from the U.S. Immigration and Naturalization Service, J. William Carter, the Deputy Regional Chief of the Border Patrol.

As I said earlier, we thank all of you for participating in this hearing, and we do have the written testimony which, by unanimous consent and without objection, will be entered into the record.

We do have a lot of questions that we would like to ask you, based on our experience in other parts of the country. For that reason, we ask if you could keep your testimony down to 5 minutes, it will give us a chance to get some of the answers of questions that we have.

Let's hear first from Mr. Hambrick.

TESTIMONY OF MARION W. HAMBRICK, SPECIAL AGENT IN CHARGE, HOUSTON FIELD DIVISION, DRUG ENFORCEMENT ADMINISTRATION, U.S. DEPARTMENT OF JUSTICE

Mr. Hambrick. Mr. Chairman, thank you. I'm happy to be here and to represent the Drug Enforcement Administration today.

As you suggested, I have a prepared statement. I will not attempt to read it, but would like to make a couple of remarks and leave time for various questions from the committee.

Texas is kind of unique in, one, its position in proximity to source countries for drugs, which makes us a prime transshipment area. If you will notice, very few other states have the proximity to Mexico and South American countries, which are sources, which allow the drugs to come up through the land routes or through the air routes. We're very easily accessible. As well as the large coastline we have.

So, when we look at the source countries where most of the drugs are effected in the United States today, we will see that Texas is beginning to play a more prominent role. Or, at least, we feel it is.

When we look at heroin abuse, there was a period in time when Mexican heroin had gone down as far as the amount of Mexican heroin being abused in the United States. However, today we are beginning to see somewhat of a rise in the availability of Mexican heroin. We estimate that approximately 34 percent of the heroin used in this country today is of Mexican origin.

When we look at marijuana, there was a period in time when Colombia occupied the domestic market as far as demand and abuse in this country. That was for several reasons, in my judgment. One was the so-called paraquat scare, in which the people in this country were afraid to smoke marijuana that had the paraquat.

We saw a laxity in that program with Mexico during the previous administration, and we've seen the Mexican marijuana reemerge as a threat, again, to our country.

We've seen the Colombian marijuana decline somewhat in availability, and we think that this is due to the excellent program that the administration has in cutting off, at the choke points, the source countries; that is, the Coast Guard's efforts, the Custom's efforts in stopping some of the large marijuana shipments that were coming up, primarily, through the Florida coastline in the past.

However, we're beginning to see new and emerging trends where the air routes from South America through Belize into Texas was causing Texas to be a transshipment point.

We are seeing the same thing with the land routes through Mexico. We're seeing Mexico having land smuggling to come on up into the United States.

When we look at cocaine, we feel that Florida is still the primary source location for cocaine coming into the rest of the United States. However, we have seen Texas, again, reemerge as a distribution center for cocaine.

Now, I'm not trying to tell the committee that all of the coca, sources of supplv, or coke dealers that have been located in Florida have moved to Texas. We're not trying to say that at all, but we are saying that we have had the Florida violators, cocaine violators, rearrange for their smuggling ventures to come in through Texas and be distributed from this point, or from Texas, into other parts of the United States.

Now, we saw additional evidence of that in several of the recent President's Organized Crime Task Force cases, which Mr. Hedges will mention later, that indicate that we do have some of the Cuban and Colombian underworld community moving into our State and trying to get a better foothold on smuggling trends, or the smuggling trafficking in through Mexico or the land and sea routes.

We look at the dangerous drugs, and we find that we have the dangerous drugs, also, readily available. We see that mandrax, or methaqualone, which is a heavily abused item in our country is coming out of Mexico where it's being illicitly produced from raw powders obtained from overseas. DEA has been working to try to cut the source off. We have not been totally successful at this point, but we do have several programs from an enforcement point of view in which we're trying to be more active in that respect.

Mr. Chairman, I could go on and on, but for the sake of time, if you wish, I'll reserve the rest of my time for questions.

Mr. RANGEL. Very good.

[The prepared statement of Mr. Hambrick appears on p. 154.]

Mr. RANGEL. From the U.S. Attorney's Office of the southern district of Texas, Mr. Hedges.

TESTIMONY OF DANIEL K. HEDGES, U.S. ATTORNEY FOR THE SOUTHERN DISTRICT OF TEXAS

Mr. HEDGES. Thank you, Mr. Chairman. I appreciate the opportunity to appear before the committee today and want to compliment the committee on the most important work it is doing.

Under instructions from Attorney General Smith, every district in the country created a law enforcement plan. We have seven criminal enforcement priorities in this district. Narcotics is number one, and number one by a very wide margin.

The Department of Justice, in the last 2½ years that I've been in office has sought to combat narcotics in two ways from, shall we say, an administrative point of view. One of those is to increase law enforcement resources. The other is to better utilize the resources that you have.

I think both of those things have taken place in this district. Our office, presently, has 50 assistant U.S. attorneys. When I took office, we had 40. Our 25-percent growth over that 2½-year period of time is greater than that of any other large office in the United States, with the exception, if you wanted to guess what the exception is, and that's Miami, of course.

We hope we're utilizing those additional resources in the best way possible.

Some changes that I have made in the internal structure of the office. When I took this position, there was no designated narcotics unit in the southern district of Texas. I immediately created such a unit. We have one very experienced prosecutor and three less experienced prosecutors who are assigned to it.

That, I would point out to the committee, is completely apart from and in addition to the drug task force. This four-person unit in our office handles only those narcotics cases which do not meet the guidelines of the drug task force.

In March of 1983, we began operations of the drug task force for the southern district of Texas, and the committee is, of course, familiar with its guidelines and the kinds of cases that it handles.

It became fully staffed, and our staff is 7 prosecutors and 40 investigators. And that is a substantial addition. That is a tremendous amount of growth.

The current inventory of the drug task force for the southern district of Texas is 10 investigations involving approximately 200 defendants. We've already had two indictments. One of those was Thursday, I believe, of last week. Nineteen defendants and massive quantities involved in each and every one of these cases, large organizations involved in each and every one of these cases.

And one point that, I think, bears on some of the testimony that you'll be hearing later on that's quite important is that 4 of the 10, including the one that was indicted last week, we've had significant, and I would say critical, involvement of State and local law enforcement entities.

None of these cases, so far, involve Corpus Christi, and probably you will hear testimony from law enforcement officials here that they have not worked with us on any of these cases. They have not. That's just the cases that have come to us. So far, none of them have been Corpus Christi.

Several months ago, I sent out a letter to all law enforcement officials throughout the southern district of Texas explaining to them precisely what the drug task force is, precisely how it works, and inviting them, if they get any cases that come into their agencies that appear to fit the guidelines of the drug task force, to please contact us. We will not steal the cases from them, which is a concern, but we will give them whatever assistance they need, whatever assistance they want.

I fully anticipate that there will be some cases in the Corpus Christi area.

I'd like to say a word of thanks to the Members of Congress, and all the Members of Congress, for the moneys that they've appropriated to the drug task force. It was needed. It's being very well spent, at least in this district, which, of course, is all I can speak to.

We've gone from, when I took office, having no one assigned to prosecuting narcotics cases on a full-time basis to now having four people in our regular criminal division who are assigned to it on an as-needed basis and seven full-time drug task force prosecutors, which is a very dramatic increase.

Just to touch on a few statistical matters, the current case load in the southern district of Texas, the criminal case load over the whole district, which is a 43-county area involving, virtually, the entire Texas gulf coast and the border up past Laredo. Districtwide, 24 percent of the criminal cases involved narcotics. In the Corpus Christi division, 55 percent of the case load here involves narcotics.

Also, very briefly, for the last 3 years——

Mr. Rangel. Excuse me. I thought you were saying that you weren't getting any major cases, or any cases, out of Corpus Christi.

Mr. Hedges. We're getting lots of cases, Mr. Chairman, It's just, so far, none of them that have met the guidelines of the drug task force, major organizations. There are plenty of narcotics cases here, a great number.

For the last 3 years, the southern district of Texas, although it's only the eighth largest U.S. attorney's office, being half the size of the southern district of New York, less than half the size, and half the size of Los Angeles, has filed more felony cases than any other district in the United States. We filed more than New York City. We filed more than Los Angeles. We have filed even more than Miami.

In the area of narcotics, we have ranked second only to Miami in the number of cases filed. So, there's been a very vigorous effort in this area. We're used to handling high volumes of cases.

Now, we're going to continue to handle that high volume, but we're also going to try to shift the emphasis a little bit to get into these large organizations.

Part of this new effort has been unprecedented cooperation between Federal, State, and local law enforcement.

A member of our advisory committee to the drug task force is Capt. Jack Curtis of the Department of Public Safety here in the Narcotics Branch. He sits with us on the advisory committee and gives us input from the State. As I mentioned earlier, the State's intimately involved in 4 of the 10 cases, State and local.

Finally, just to touch on three of the major cases that have, in two instances, been tried and one instance only been indicted quite recently, these are extremely large cases. The *Bushmaster* case out of San Antonio had methamphetamines and cocaine being distributed to several States, to at least seven Texas cities, including Corpus Christi. The Grouper prosecution recently with 45 some-odd defendants in Beaumont was an offspin of the Grouper investigation in Miami. The Miami tie is there. There's no question about it.

And the most recent case, in the Houston area, involved hundreds of thousands of pounds of marijuana being smuggled up from Colombia, and that was coming in all along the Texas gulf coast, including the general Corpus Christi area.

So, I don't think the time has been there to see the impact on the street. But the time has already been there in the few short months that this program's been operational to see that the impact is there on some of these major narcotics trafficking organizations.

And we appreciate the support that Congress has given us in this effort and hope that it will continue.

Thank you, Mr. Chairman.

Mr. **Rangel.** Thank you, Mr. U.S. Attorney.

[The prepared statement of Mr. Hedges appears on p. 166.]

Mr. **Rangel.** The Regional Commissioner of Customs, Donald Kelly.

TESTIMONY OF DONALD F. KELLY, REGIONAL COMMISSIONER, U.S. CUSTOMS SERVICE, HOUSTON, TX

Mr. **Kelly.** Thank you, Mr. Chairman. I very much appreciate appearing before this group this morning.

I've been around the Customs Service a good long time, 36 years, a good part of that time in management.

I was reflecting this morning that this is, I think, the fifth time this year I've appeared before a group such as yours, and this type of thing never has happened before in my previous experience.

And if this is indicative of the concern being expressed at the Federal level what, I believe, has become a national emergency, I can only applaud that and hope that your group and others in the field will act.

I have responded in my written testimony to budgetary matters, staffing matters, increase in the narcotics seizures in the area of Texas and the Mexican border and the gulf, so I will not go into those matters again in this brief time.

We have seen, since the success of the Vice President's task force in Miami, a definite shift of narcotics threat to this area, contiguous areas, the gulf coast, and the Mexican border. This has been particularly noticeable in the number of air intrusions that we have had and the smuggling of larger amounts of marijuana in four-engine aircraft all the way down to small aircraft and increases in cocaine being smuggled by air.

There has been a general trend, also, in the heroin that has been coming in across the Mexican border, and the marijuana business is going up and up, going off the tracks.

This is kind of cyclic, depending on the crops coming in down in Mexico.

When it comes to how we fight against this emergency, the first thing I'd like to say is I'm not too bothered by the application of cuts in resource levels because you will not solve this problem by throwing money at it. And the number of people we throw at it is not too significant either because of the geographic problems involved. It's a vast area we have to cover.

We could never line people up shoulder to shoulder to protect the border areas that we needed to protect. We'd need not only the Coast Guard, but the entire Army, Marine Corps, and Navy besides.

What we have to do is manage this problem better, come to a high degree of productivity, and use some techniques that we haven't used in the past.

It is extremely important that we increase our intelligence activities. I am very happy to report to you today that the Customs Service has just recently added, nationwide, approximately 175 intelligence positions to our effort.

For example, in the Texas area, we have just—they're all in school in training right now—we've added 14 positions to our regional staff totally dedicated to intelligence. In our area, special agent and charts officers, there are four of those, and we've added one intelligence analyst each.

We have dedicated a good half dozen people to the intelligence slots down at NNBIS in El Paso. We have, I am very happy to say, negotiated an arrangement with DEA where we now have—we're going to put three—establish a Houston desk, a Houston intelligence desk, in EPIC, DEA's intelligence center down in El Paso. And those people will be totally dedicated to providing tactical field intelligence for this particular area.

In addition to that, we have put in a hot line to our sector communications unit to Mexico City and made arrangements with the Mexicans to obtain narcotics intelligence from them.

So, we're proceeding down that route, I think, very rapidly, and I hope that we will achieve significant results from that effort in the future, because of the techniques we're using.

The cargo smuggling is very acute for us, and we are trying to approach that by a high degree of selectivity. In addition to the intelligence analysts I previously mentioned, we have put on board a large group of operational analysts that look through all the documentation and other sources to create profiles and select out, with a high degree of confidence, those things that we should be looking at that have a high potential for smuggling.

We are also running a lot more special operations than we have in the past, particularly under the NNBIS umbrella. And we are increasing our undercover operation and our surveillance techniques.

We are also moving rapidly into more sophisticated types of investigative cases, particularly in the area of currency. We're trying to combat the smuggling problems that are infiltrating through bank analysis those things that will give us a handle on the money that moves and the solicit trade and trying to approach it in that manner.

We're also switching our resources to become mobile, rather than static. We have created a special force, for example, across the Mexican border, a series of inspectional enforcement teams that are totally mobile. They move up and down between ports of entry and infiltrate and saturate one particular port of entry at a particular time and then move on to another.

So, what I'm saying is that we're trying to use a system of more management and new techniques to approach this problem. I think that we are now starting to see some success in that area.

Additionally, and one thing that is peculiar to my operation, is cooperation with the Mexican Customs Service. We have made a major effort. We have a national meeting with the Mexican Customs Service between our top executives in Washington and theirs every 6 months on a formal basis. There's one coming up in January in San Francisco.

But because of my placement in the Customs organization, I meet with the Mexican Customs Service, sometimes on a daily basis. And this is starting to bear fruit. We have recently made several significant marijuana cases in which the intelligence information came from the Mexican Customs Service.

And we are working right now on 10 separate projects with the Mexican Customs Service that are dedicated to improving the interdiction of narcotics and contraband along our border. One is very significant, called Operation Eagles. On our side, we have dedicated, along our side of the border, about seventy additional positions to this particular one project, and they have committed a similar number on their side.

And this is where we have teams, mobile teams, on our side of the border in contact with mobile teams of Mexican Customs Service on the other side, all of whom are dedicated to picking up narcotics traffickers. That's just started, and there's been several significant cases made in that area, and I hope that will improve in the future.

So, that's about the way we're going at this problem, and, again, I thank you very much for allowing me to appear here today.

Mr. RANGEL. Thank you, Mr. Kelly.

[The prepared statement of Mr. Kelly appears on p. 171.]

Mr. RANGEL. Can we hear now from Admiral Stewart? And the admiral not only serves in charge of the Coast Guard for the 8th District, but you also are the coordinator for the Vice President's National Narcotics Border Interdiction System for the gulf region.

So, as we go around the country trying to find out who is in charge, it's good to see someone in this area.

TESTIMONY OF REAR ADM. WILLIAM H. STEWART, U.S. COAST GUARD COMMANDER, 8TH COAST GUARD DISTRICT [ALSO NNBIS COORDINATOR, GULF COAST REGION]

Admiral STEWART. Good morning, Mr. Chairman, members of the committee. I'm guilty as charged. [Laughter.]

I'm Adm. William H. Stewart, the commander of the 8th Coast Guard District, and I welcome the opportunity to discuss Coast Guard maritime narcotics interdiction efforts with the committee.

The 8th District encompasses most of the Gulf of Mexico and includes the States of Alabama, Louisiana, Mississippi, Texas, New Mexico, and part of the State of Florida. To support the Coast Guard's drug interdiction effort in this area, the following multimission assets are available: 10 82-foot patrol boats; two seagoing buoy tenders; 11 helicopters located at three locations, Houston, Corpus Christi, and New Orleans; 7 fixed-wing aircraft at Corpus Christi and Mobile; and utility boats at 11 Coast Guard stations scattered along the gulf coast from Panama City, FL, to Port Isabel, TX. Four medium-endurance cutters are homeported in the 8th District, but these vessels operate primarily in the Yucatan pass, and they are under the operational control of the 7th Coast Guard District headquartered in Miami.

With these assets, I can assure the committee that the 8th Coast Guard District carries out a very aggressive law enforcement program in support of maritime narcotics interdiction along the gulf coast.

The 8th District also responds, in a timely fashion, to intelligence which indicates the presence of drug-laden vessels or smuggling operations. Our assets are also deployed on joint operations with other agencies from Federal, State, and local governments. We maintain a strong liaison program with the other Federal agencies involved in narcotics activities. Liaison officers have been detailed to the Organized Crime Drug Enforcement Task Forces in the core cities of Houston, St. Louis, and Atlanta to insure effective coordination with each of these task forces, because each has jurisdiction over a part of what comprises the 8th Coast Guard District.

To insure cooperation at the State and local level, the Coast Guard is a member of the Law Enforcement Coordinating Committees, operating under the direction of the Department of Justice throughout the entire 8th Coast Guard District.

Since clarification of the Posse Comitatus Act by Public Law 97-86, the Defense Department has provided the Coast Guard excellent support in drug interdiction. Their assistance is a welcome addition in our fight against the drug smuggling.

In the past several years, the drug smuggling problem by vessel in this area appears to have been reduced. I attribute this reduction to the blockade of the Yucatan Pass between Cuba and Mexico, the primary route for smuggling to gulf coast ports.

The National Narcotics Border Interdiction System advent has forced the maritime smuggler to other areas and other means, such as, aircraft or overland routes.

In addition, as you have already mentioned, Mr. Chairman, to my duties as 8th District commander, I assumed duties as the gulf region coordinator for NNBIS on June 17 of this year. And I certainly welcome an opportunity to discuss the NNBIS interdiction efforts with this committee.

The gulf region of NNBIS encompasses 111,500 square miles of the Gulf of Mexico, Yucatan Pass, and the Caribbean Sea. It includes the border areas of the States of Alabama, Louisiana, Mississippi, Texas, and part of the State of Florida. The center, which is located in New Orleans, Louisiana, is now fully manned. We currently have 29 people on board from the Coast Guard, Customs Service, the Department of Defense, the Drug Enforcement Administration, the Border Patrol, the Federal Bureau of Investigation, the New Orleans Police Department, and the Louisiana State Police.

People from each of the Federal agencies, who have a role in drug interdiction, the national intelligence community, plus State and local representatives are actively engaged in a coordinated drug interdiction program throughout the gulf region. The bulk of the manpower is being provided by the Coast Guard, the Customs Service, and the Department of Defense.

To insure coordination with the Organized Crime Drug Enforcement Task Forces set up last year for investigation and prosecution versus interdiction, a strong liaison link has been established with each regional task force coordinator. To strengthen this link, I, or my staff, have personally visited and talked with the three core city groups in our area, St. Louis, Houston, and Atlanta. And Houston and St. Louis personnel have visited the New Orleans center in order to become familiar with our operation.

To keep local enforcement agencies advised of our activities, I have visited with the governors of Louisiana and Texas and will meet with the Governors of Alabama and Mississippi in the near future. I have asked each Governor to designate a contact point in the State agency responsible for drug enforcement. The State agents designated will provide us with the State and local intelligence needed to round out the picture.

Information is exchanged on a continual basis with both the other NNBIS centers and with the El Paso intelligence center.

EPIC's role, as I see it, will not decrease, but will increase, as they coordinate the nationwide assessment. They will provide the strategic information necessary to meet the changes in tactics by the opposition. Members of my staff and members of the EPIC staff have exchanged visits to ensure coordination with the valuable asset.

The overall NNBIS effort nationwide is intended to fulfill a need for a strong interdiction effort in the drug enforcement program. Obviously, overseas source country eradication programs in the Department of State are working to reduce the supply. Within the United States, domestic eradication programs under DEA, in cooperation with the various States, are targeted to reducing homegrown marijuana and eliminating the illegal chemical production of drugs, such as, PCP.

Domestic enforcement programs under DEA and extensive research and education efforts are working to reduce this demand for illicit drugs.

All of these programs, Mr. Chairman, are producing results. But by their very nature, most tend to be long-term efforts, and the full effect and benefits may not be realized right away.

In the meantime, it continues to be clear that strong, coordinated law enforcement action must be taken to interdict this flow of illegal drugs. And that, basically, is the NNBIS mission: Stop them at the border; do not let them across. And do so, by making maximum, effective use of all of our national assets in a fully coordinated, systematic approach to the problem.

To give you a basic intelligence report on the gulf area, from December 1982 until November of this year, the Yucatan was the pass of choice of the smugglers for maritime efforts. Thirty-five percent of all mother ships seized during the period were seized in that area.

Once in the gulf, the vessels could proceed almost anywhere from the southwest coast of Florida to the bayous of Louisiana, the coast of Mississippi, Alabama, or the coast of Texas to offload.

Aircraft used the gulf as a primary smuggling route. Once over land, they proceed to remote air strips in or north of the Gulf States to refuel or offload.

This time of the year, the traffic tends to be heavier because a new crop has been recently harvested and is ready for shipment.

Seizures are up in recent weeks. Load size is down, down materially, as the organizations have been forced to go to secret compartments and other methods of trying to defeat interdiction of their loads.

We have not seen, interestingly enough, so far, a commensurate increase in air traffic as we have seen in vessel traffic.

In recent NNBIS operations, participating agencies have successfully interdicted four aircraft with loads of cocaine and marijuana, a container of marijuana from a commercial vessel, six vessels, cocaine concealed on a person or shipment of cocaine concealed in a water tank of a commercial vessel, and, most recently, two kilos of pure heroin.

The total figure since June 17 reflects the following: 15 seizures, 55 persons arrested, over 77 tons of marijuana seized, 1,806 pounds of cocaine seized.

And I conservatively estimate, Mr. Chairman, that the value of those narcotics is over $260 million.

And these statistics do not reflect the extraordinary cooperation and coordination and the extra efforts by all of the enforcement personnel involved.

In a vessel interdiction case, air resources were required from DOD to successfully prosecute the mission. The request was processed promptly. The Air Force aircraft successfully located the target for interdiction on that same day by Coast Guard cutter. A Coast Guard vessel, Customs aircraft, and DEA located and, subsequently, interdicted mother ship in the northern gulf region.

Our first 3 days of operation, two aircraft were detected by Air Force AWACS aircraft, were followed by Custom's aircraft to Mississippi and Texas. Both aircraft were carrying contraband when landed, one in Jackson, MS and the other in Childress, TX.

I could give the committee many other illustrations of mutual cooperation between the participating agencies, but in the interest of time, I will simply say that this high level of coordination will significantly enhance our efforts, and we will be able to work a lot smarter than we have in the past.

And that concludes my prepared testimony, Mr. Chairman.

I would like to close by saying that I am very, very pleased at the commitment and the coordination and the support by all of the participants in NNBIS.

Thank you.

Mr. **Rangel**. Thank you, Admiral.

[The prepared statement of Admiral Stewart appears on p. 178.]

Mr. **Rangel**. Mr. Carter, we haven't received any prepared testimony from you.

Mr. **Carter**. Mr. Chairman, I apologize for that inconvenience. Fifty copies of my statement were submitted. However, they have been misplaced.

I gave the one copy I brought to this gentleman here [indicating].

Mr. **Rangel**. All right. Well, I assume the reporter will be using that.

That's no problem, Mr. Carter, we are glad that you are personally here because we do have a deep concern over our borders and the narcotics law enforcements over the borders, and we didn't even think you'd show up.

So, tell us what you're doing and how we can be helpful.

TESTIMONY OF J. WILLIAM CARTER, DEPUTY REGIONAL CHIEF, BORDER PATROL, SOUTHERN REGION, DALLAS, TX

Mr. **Carter**. Mr. Chairman and members of the committee, I'm very pleased to be here today to testify at this hearing on the trafficking and drug abuse problems plaguing the Texas-Mexican border.

I would like to submit, for the record, a printed copy of my statement and summarize to you orally today the key points of my statement.

Mr. **Rangel**. Without objection, Mr. Carter.

Mr. **Carter**. Thank you, sir.

The Immigration and Naturalization Service is an agency of the Department of Justice and is responsible for administering and enforcing the immigration and nationality laws of the United States. We have two basic functions:

No. 1, to insure that all persons entering into or remaining in the United States are entitled to do so under law; and

No. 2, to provide public services in the form of processing various applications for admission, petitions for naturalization, and similar other benefits under the immigration and nationality laws.

While the Immigration and Naturalization Service has never been authorized by statute to enforce Federal drug laws, we do encounter drug smugglers incidental to the performance of our duties regarding the entry of aliens into the United States. This is evidenced by the 1,516 narcotics seizures valued at $35,560,963 having been made by the Immigration and Naturalization Service along the Texas-Mexican border over the past 3 years.

In fiscal year 1981, the Immigration and Naturalization Service was responsible for 624 narcotic seizures along the Texas-Mexican border. The value of those seizures was $7,697,434. A total of 82 deportable aliens were involved in the smuggling of narcotics during that same period of time.

In fiscal year 1982, 118 deportable aliens were involved in the smuggling of narcotics along the Texas-Mexican border. During this same period of time, 500 narcotics seizures were made valued at $9,994,373.

In fiscal year 1983, the value of narcotics seized by INS along the Texas-Mexican border was $17,869,145.

Drug traffic trends along the Texas-Mexican border over the past 3 years include the smuggling of drugs across the U.S./Mexican border principally by vehicles through U.S. ports of entry and, to a lesser extent, by pedestrians crossing illegally between ports of entry. A significant amount of cocaine has been intercepted, both east and west bound across the United States, at Border Patrol traffic checkpoints, the smugglers in most cases being Colombians.

In October of 1983, Border Patrol agents of the Sierra Blanca, TX, traffic checkpoint intercepted two Colombians in possession of 13 pounds of cocaine valued at $418,000. Between the months of April through October 1983, agents assigned to the El Paso Border Patrol sector were responsible for seizing a total of 45 pounds of cocaine with a street value in excess of $10 million.

It is widely acknowledged that large numbers of illegal aliens are successfully evading apprehension by Border Patrol and other INS officers. The administration supports a three-pronged solution to this problem. This approach, which was recommended by the Select Commission on Immigration and Refugee Policy, includes enhanced border enforcement penalties for employers who hire illegal aliens and legalization of certain aliens who have been here for a specified length of time.

The administration has not identified a specific level of resources appropriate for border control. We are, however, optimistic that the immigration reform legislation will come to a vote in early 1984 and that suitable funding will be requested upon passage of that legislation.

Cooperation between INS and other agencies and between INS and State and local law enforcement entities is excellent.

INS cooperates with DEA and Customs in the El Paso Intelligence Center [EPIC], which maintains indices of alien smuggling, fraudulent documents utilized by illegal entrants and private aircraft arriving from overseas. While having primary responsibility for the smuggling of aliens, INS has found that the mixing of drugs and people is the norm, even in the case of small smuggling operations.

Whether it is our Border Patrol agents on the ground, inspectors at the ports of entry, or aircraft operational surveillance, we routinely receive support from EPIC and the other agencies, and, in return, provide information and assistance to them in our day-today operations.

Cooperation with State and local enforcement agencies is the best it has been in many, many years. A directive issued by the Attorney General in the previous administration has been interpreted in some areas to discourage such cooperation. This was clarified last year, and we have experienced a healthy responsiveness to our requests for assistance and initiatives for cooperation against smugglers.

It should be noted that the administration has not identified a specific need which would enable INS to be effective in apprehending drug smugglers. However, through enhanced border enforcement, our mere presence would insure greater control of the border, consequently resulting in the detection and apprehension of larger numbers of suspected drug smugglers.

The effect of the National Narcotics Border Interdiction System on INS has been of a positive nature. As a result of NNBIS, a better flow of information between agencies now exists. Working relationships between Federal and State agencies, as well as effective coordination of intelligence data, is a direct result of NNBIS.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Carter appears on p. 192.]

Mr. Rangel. Let me thank you, Mr. Carter, and thank the entire panel for what appears to be some very positive testimony.

And, certainly, we are impressed with the dedication that you frontline units have had in combating what we all recognize to be an international problem.

I gather from all of the testimony that you are pleased with the increase that the administration and the Congress has provided, as it relates to law enforcement, and I think, notwithstanding the national coordination of the effort, that all of the particular units have enjoyed an increase in moneys and staff and equipment to fight this problem.

I'm particularly impressed with the testimony relating to the amount of local and State cooperation with law enforcement officers, and I hope that some of you will be able to remain until after they testify.

In addition to that, I'm impressed, as I always am impressed, with the amount of cooperation that we're getting from the Mexican authorities, as well as, in our travels, with all of the drug-producing countries. It appears as though we are receiving the maximum amount of cooperation.

Having said all of that, we're under the impression that there is little or no inspection of vehicles crossing the border, that, as a practical matter, that you shouldn't expect anything to be happening, especially with the individual experiences that we have on the Brownsville, TX border.

We also hear that there are known drug traffickers on both sides of the border that, because of lack of operative agents, we don't have any DEA agents in Mexico, do we?

Mr. **Hambrick**. Yes, sir, we do. We do have quantities, not as large, but we still have approximately 35 agents.

Mr. **Rangel**. But we do know who some of the big violators are on both sides of the border.

And notwithstanding the increase in effort, cooperation, and moneys, our constituents should expect a larger amount of Mexican heroin coming into the United States. And certainly, with all of the great work that's being done by the task force in Florida, I think the facts have shown that there's been an increase, and, again, Mr. Hambrick went out of his way, and we will, too, to say that we can identify it as being the same drugs that would have gone into the Florida area. But for those of us who have constituents, the question still is outstanding: Should we expect a sharp increase to compensate for the decrease in the Floridian area and the eastern seaboard and in Texas?

Now, Mr. Kelly says that is not a question of throwing money at the problem. We agree, so we're not going back and asking for more money.

But somehow, we're going to have to come away from these hearings in trying to find out how long is it going to take, Admiral, for us to see some of the positive effects of these new techniques that we're coming up with, and is it realistic enough to testify that we can ever expect drugs from being stopped from crossing the border, that is, as relates to the Texas-Mexican part of the border?

Now, I've seen it on the maps. I've seen it by air. And I've seen it personally. And I know it sounds un-American to say that you've given up on it, but I don't see how effectively we should try to explain to the American people that we are doing anything at all on that borderline.

Let's start that question off, Mr. Hambrick, with you. Is there any testimony that you can give to allow this committee to believe that as it relates just to the borderline that we should expect any decrease in the amount of drugs that are coming across that border?

Mr. **Hambrick**. I wish I could give you a very positive answer, Mr. Chairman, and I don't have a positive answer at the moment. I do see some signs that are somewhat encouraging that we haven't had in the past.

You spoke of the heroin availability. I think that if we look back at the previous Mexican administration, we saw a laxity in their program on the poppy eradication. I think we began to see an increase, a slow increase, in the availability of opium in Mexico.

Mr. **Rangel**. Now, I'm going to Mexico this evening for dinner, so I want to take a little risk in my statement, but I don't recall, in the last 4 years, anyone ever telling the Congress that they were not getting cooperation in the past from the Mexican Government. All I've been hearing is about this new cooperation we're getting from the new Mexican administration.

I've been in the Congress now for 14 years, and no one has ever said that we're not getting the maximum amount of cooperation from the Mexican authorities, which means, you know, that maybe the next Mexican administration is going to do better than this one.

But that's not the point. My point is that: What positive evidence can you give us based on the Border Patrol or interdiction or anything that's come up new, that we should expect a decrease in the amount of drugs crossing that border?

Mr. **Hambrick**. As I mentioned a while ago, Mr. Chairman, I think the things that we're the most hopeful of, and let me speak to the Mexican side for a moment, is, one, the new attitude by the new administration. We've seen very strong evidence that they are, again, spraying. We're being allowed to verify that spraying. To me, that's a big plus.

Mr. **Rangel**. You're talking about eradication. That's a good point. I have no problem with it.

But as relates to that border, forget it, right?

Mr. **Hambrick**. No, sir, I'm not willing to say that, yet. We've seen the Mexican Government change the comandantes of the Mexican Federal police. Both the Federal, State, and local are beginning to have a pretty good, open enforcement relationship at the moment.

We have seen them become active with information that we've given them that we didn't see before.

I can't tell you that this is going to be the panacea but we're beginning to see a change in attitude, as it relates to drugs and as it relates to——

Mr. **Rangel**. I can't argue, Mr. Hambrick, with those objective evaluations. I'm just—to go to the extreme, I'm saying that if anyone gets arrested for bringing across the border, it's my opinion that he or she wants to get arrested. And that's as drastic as—I mean, that's what I'm saying.

Mr. **Kelly**. Well, I hope I'm going to be called on next, Mr. Congressman, because you just wounded me very severely. I heard you say that we didn't give much attention to the inspection of motor vehicles crossing the border, and I certainly can't wait to express myself to that remark.

Mr. **Rangel**. Well, please.

Mr. **Kelly**. First of all, I have to tell you how very difficult this problem is. It's what we call a primary inspection.

Now, the first crossings and other crossings cross the contiguous border impact tremendously on the economy of the U.S. citizens that live on those border areas.

Mr. **Rangel**. Mr. Kelly, if you tell me that there's good reason why there's no enforcement, I'm not going to argue with you.

Mr. **Kelly**. No, no. If you could allow me, sir, I will get to the point.

Mr. **Rangel**. Sure.

Mr. **Kelly**. I want to tell you that this is a difficult accomplishment to do two things at once, OK? And that's expedite traffic to help our economy cross those border crossing points and still do a highly professional job of inspection. And I propose that we do both.

But I've given a lot of attention to this problem. We make a lot of narcotics seizures from motor vehicles. Recently, we made a cull seizure of 45 pounds of heroin out of a motor vehicle in Brownsville, TX. Extremely significant procedure across our routine processing.

Now, we have to function with facilities that are outmoded down there for a variety of reasons, and we can only man so many crossing points. So, we're limited.

So, just today, we're starting a test in Brownsville and in Hidalgo of a new system of roving primary inspection that was very successfully tested at Laredo in the last 2 weeks.

And this is in addition to our normal primary processing. We are putting out roving inspectors in front of the primary processing booth that are highly trained in profiling techniques and are taking out from the normal traffic and putting aside for secondary inspection those cars with a high potential for narcotics smuggling.

We made significant seizures in the Laredo test, and we are running that test in Hidalgo and Brownsville, as I said, in these 2 weeks.

Now, I am telling you that we run a highly professional organization in our primary screening of motor vehicles along the Mexican border.

In addition to roving patrols, I told you about Operation Eagles, and this is where we are now getting tipped off on vehicles to select out in the primary examination process from our Mexican counterparts across the border from us.

So, we're doing a lot in that area. An awful lot. While simultaneously helping the economy down there by facilitating those motor vehicles across.

And I'll be glad to take you, or anybody else on this committee, to any border crossing point we have and show you the professionalism that we have down there, our customs inspectors and our counterparts in INS.

Mr. **Rangel**. Well, to tell you the truth, I didn't even recognize that you were there. It seems to me that——

Mr. **Kelly**. I'm glad to correct the record, sir.

Mr. **Rangel**. Yes. The inquiries are made by the Mexican side of the border.

Mr. **Kelly**. What inquiries are those?

Mr. **Rangel**. As to whether or not you're bringing anything into the United States.

Mr. **Kelly**. Well, the Mexican inquiries do not matter.

We conduct ourselves, I think, in a more sophisticated way than just asking every car: What are you bringing in? We use an intelligence technique and profiling techniques.

Mr. **Rangel**. Well, I know, but——

Mr. **Kelly**. You know, a customs inspector standing at our border in order to get that traffic into the United States has about 5 to 15 seconds to make that initial interview.

Mr. **Rangel**. Well, you——

Mr. **Kelly**. Don't interrupt me, sir.

We cannot, we cannot depend on that alone to make smuggling interdictions. We have to be more sophisticated. We have to do a lot of things on a training basis and a profiling basis, and that is what we're doing.

So, it might appear to you that you're being expedited across that border with no attention anytime you personally come across there, but I can assure you that is just not so.

Mr. **Rangel**. All right, Mr. Kelly. And I wish you wouldn't get emotional about it. We're only trying to exchange observations, and you're concentrating on areas which are crossing points.

Now, we're talking about a thousand miles of border between Mexico and——

Mr. **Gilman**. Two thousand miles, I think, would be closer.

Mr. **Rangel**. Well, it's over a thousand miles of border, and you're satisfied that Customs is doing an effective job in monitoring that border.

Mr. **Kelly**. Yes.

Mr. **Rangel**. Well, I think your answer speaks for itself, Mr. Kelly.

Mr. **Kelly**. Thank you.

Mr. **Rangel**. Mr. Carter, do you join with Mr. Kelly's observations about our ability to stop drugs from crossing the border?

Mr. **Carter**. The Immigration and Naturalization Service is very, very enthusiastic about the function and the role we play at the ports of entry. We work very closely with Customs, and even though our primary responsibility is the—is people, not drugs, we will enthusiastically inspect vehicles and individuals. And in the course of our inspection, if we intercept narcotics, we, of course, turn them over to the U.S. Customs Service at the ports of entry.

We do everything within our power and the resources that are made available to us to do the best that we possibly can.

Mr. **Rangel**. That answer I can understand.

Mr. **Carter**. We are not, we are not doing what we have—we are doing what we can do with what we've got. We are not getting the job done.

Mr. **Rangel**. Well, Mr. Carter, that's why we're here. We're not here to be critical. We're here to give assistance, to find out where we can be of help.

Of course, where we find people just enthusiastically reporting the great success they're having, it's very difficult for the Congress to respond.

Mr. Gilman.

Mr. GILMAN. Thank you, Mr. Chairman.

Gentlemen, I want to thank you for taking time out of your busy schedules for giving us the benefit of your views. And please bear in mind that we're here to work with you to try to find a more effective way to do your job.

And I think what Mr. Carter just said that we're doing the best we can with what we've got focuses attention on what we're trying to find out. What do you need to do a better job?

You've all talked very glowingly about what you're individually doing in your own agencies, and you're working in good cooperative spirit. And, yet, we find we're increasing in heroin trafficking, we find cocaine is going up, we find the purity levels are high, we find there's a greater number of arrests and seizures. And it's not making any dent on the problem confronting our Nation. We're not making a substantial dent.

And what we're here to find out is what we can do to close down this operation or to reduce it substantially. And while you're working in every direction, apparently, we have not evolved, yet, an effective method for making a substantial reduction of narcotics trafficking across these borders.

Now, let me just address a couple of things, individually.

Now, we've talked—a number of you have talked about this cooperative effort in meeting together. When was the last that you all got together and worked out a strategy for this region? Any of you. That question's to the panel.

Mr. HEDGES. On Federal agencies, Mr. Congressman?

Mr. GILMAN. Yes, Federal agencies.

Mr. HEDGES. We, in Houston, office together. They're together 8, 10, 12 hours a day, every day.

Mr. GILMAN. I don't mean just being together in your office. When did you meet with Mr. Kelly and Admiral Stewart and Mr. Carter and Mr. Hambrick? When have you gotten together? You're all key people in your various agencies. When have you got together to go over some strategy for this region?

Mr. HEDGES. I think our last meeting was—what? About 2 or 3 weeks ago in Houston?

That was the most recent one. We've had quite a number of them.

Mr. GILMAN. All of you have been in——

Mr. HEDGES. Representatives of all these agencies. Mr. Hambrick, himself. Of course, he's at Houston. It's more difficult for the Admiral to come over for routine meetings, but he has a Coast Guard commander, who is a full-time member of the drug task force who acts as a liaison between the drug task force efforts and the NNBIS efforts.

Mr. GILMAN. Are you chairman of that group that gets together?

Mr. HEDGES. Yes, I am.

Mr. GILMAN. And how frequently do you meet?

Mr. HEDGES. There's several different groups. The advisory committee, and then there is a district coordinating committee. And I would say between the two of them, we probably meet every couple of months or so, but we're in contact with each other by telephone and by our representatives on a daily basis.

Mr. **Gilman**. Well, I don't mean the day-to-day manner of dealing with a crisis. I mean, sitting down and seeing where you've been and where you're going.

Have you evolved a long-range strategy for this region?

Mr. **Hedges**. I believe we have, yes. The——

Sir, are you referring just to the drug task force, or are you referring to a narcotics strategy beyond that?

Mr. **Gilman**. I'm talking about a strategy for trying to make a major dent in the narcotics trafficking in this area, Mr. Hedges.

Mr. **Hedges**. I think, Mr. Congressman, that probably the main aspect of that is the discussions that we have had, and we've had many of them, that there's sort of two sides, there's the kind of aspect that the chairman's questions were directed to, that is, an interdiction at the border; there's the other of trying to actually get into large narcotics trafficking organizations, which, if you can break some of those up, you might have an impact.

Mr. **Gilman**. Well, how many large narcotics organizations have you broken up in the past couple of years down there?

Mr. **Hedges**. In the past couple of years?

Mr. **Gilman**. Yes.

Mr. **Hedges**. Just in the past few months alone, there's been convictions in the *Bushmaster* case. And Mr. Hambrick, I think, has in his statement some of those statistics on the size of this operation. That was in San Antonio.

A large conviction in the Grouper operation out of Miami in Beaumont.

And we've had two major organizations in which indictments have been returned, but, of course, the trials have not taken place, in the Houston area.

All of these were major narcotics trafficking organizations.

Mr. **Gilman**. So, you've had two major convictions, right? Is that what you're telling me? And in what period of time?

Mr. **Hedges**. The drug task forces in this area, Mr. Gilman, have been staffed since August. So, that's only been in the past, what, about 4 months.

Mr. **Gilman**. What about prior to that?

Mr. **Hedges**. I would say, and I would defer to Mr. Hambrick in part on this, one of the major organizations——

Mr. **Gilman**. Well, Mr. Hedges, you've been in charge of that office for quite a while, haven't you?

Mr. **Hedges**. Two and a half years.

Mr. **Gilman**. Well, in the 2½ years, besides these two organizations, have there been any other major convictions?

Mr. **Hedges**. Certainly.

Mr. **Gilman**. Major traffickers?

Mr. **Hedges**. Very definitely.

Mr. **Gilman**. How many?

Mr. **Hedges**. I don't know the precise numbers on that.

Mr. **Gilman**. Approximately, Mr. Hedges.

Mr. **Hedges**. Five to ten. And we're talking large organizations and not just, you know, one boat load or something like that.

Mr. **Gilman**. Well, this exhibit A that you attached to your testimony, over what period of time does this chart refer to?

Mr. **Hedges**. That is, I believe, fiscal 1982.

Mr. **Gilman.** It's astounding to me to see that you have the largest number of narcotics cases, or the second largest number of narcotics cases, in the entire Nation; is that correct?

Mr. **Hedges.** Yes, it is.

Mr. **Gilman.** And you have four prosecutors working on your narcotics cases.

Mr. **Hedges.** No. It's considerably more than that, Mr. Gilman. There are four in the Houston office in a narcotics unit, aside from the drug task force, that——

Mr. **Gilman.** But they don't work primarily on narcotics, those four, from your testimony.

Mr. **Hedges.** I would say they probably spend from a third to a half their time on narcotics cases.

Mr. **Gilman.** And your other people across the other cities don't work fulltime on narcotics.

What would you say you had by way of full-time manpower in prosecutors on narcotics?

Mr. **Hedges.** Probably, 10.

Mr. **Gilman.** Ten full-time people?

Mr. **Hedges.** Manhours. Only the seven on the drug task force work on it fulltime. The four in the narcotics unit probably spend about 50 percent of their time, as I pointed out in my remarks——

Mr. **Gilman.** Do you feel you are adequately staffed for narcotics prosecutions?

Mr. **Hedges.** The courts and the jails could not handle more cases if we produced more cases, under the current load. What we need first are more courts in this area.

Mr. **Gilman.** You're not answering my question, Mr. Hedges. Forget the courts and the prisons for a moment. That's another problem. Someone else will be dealing with that problem.

With regard to prosecution, do you feel you have an adequate staffing for your narcotics case load in this area?

Mr. **Hedges.** I suspect Mr. Hambrick could tell you that as many prosecutors as we could provide, they could provide with cases for these prosecutors.

Mr. **Gilman.** Well, then, you're saying that you're understaffed with narcotics prosecution; is that correct?

Mr. **Hedges.** I am satisfied with the staffing we have at the present level to meet the cases that are being brought to us, and I think we'd have an infinite size of staff. There are enough cases for an infinite number of prosecutors in this area, I regret to say.

Mr. **Gilman.** Well, then, what is it? That we stop investigation and we stop the court process because of the number of prosecutors and that makes you satisfied? Or, do we do it the other way around?

Mr. **Hedges.** No, sir. I think what we do and what we've tried to do is change the focus of the investigations from the car, individual car, coming across the border. We're keeping those at the present level.

Mr. **Gilman.** What is your backlog at the present time of narcotics cases? How many are backlogged?

Mr. **Hedges.** I don't consider any to be backlogged.

Mr. **Gilman.** Well, how many are awaiting prosecution?

Mr. HEDGES. I think I—the total case load would be, probably, 700 or 800 in the district as a whole. It may be less than that.

Mr. GILMAN. And what's the oldest case in that 700?

Mr. HEDGES. Well, under the Speedy Trial Act, they can't be very old.

Mr. GILMAN. Well, how old are they?

Mr. HEDGES. I doubt there are any narcotics cases that are more than—I do not have those statistics. I'm trying to talk off the top of my head over a large number of cases.

Mr. GILMAN. Could you provide our committee with that information, Mr. Hedges?

Mr. HEDGES. You would want to know the age of all of the narcotics cases——

Mr. GILMAN. I want to know what your backlog is and what the extent of the time is that they have been lingering on the backlogged area.

Mr. RANGEL. I——

Mr. GILMAN. I would be pleased to yield to the chairman.

Mr. RANGEL. I would want to make the record clear, Mr. Hedges, that you are not testifying that your prosecutions are based on the amount of space that's in the jail or the number of Federal judges that are available.

Mr. HEDGES. I have had considerable concern expressed to me by the judges on a tremendous—the judges in this district, I believe, have the largest case loads of any judges in the United States. I may stand corrected on that. I don't know what——

Mr. RANGEL. I want the record to remain clear, Mr. Hedges, that you're not saying that the people of this area, the citizens of this area, should expect the amount of law enforcement or the amount of arrests or the amount of indictments, as it relates to narcotics cases, to be based on the jail population or the number of judges.

Mr. HEDGES. No, I don't believe we've ever turned down a case on that basis, and I don't think we would.

I think the trial is the only thing that would be, obviously, limited on that.

Mr. GILMAN. Mr. Hedges, do you see a need for any additional personnel in your department in order to properly prosecute the case load?

Mr. HEDGES. Not at the present time, Mr. Gilman. Thank you.

Mr. GILMAN. To any of you gentlemen, do you see any need for additional equipment?

Mr. KELLY. Yes.

Mr. GILMAN. Mr. Kelly talked about some outmoded problems. Mr. Carter talks about doing the best you can with what you have.

Mr. KELLY. Yes, I do——

Mr. GILMAN. Admiral Stewart, I note in the past there was some talk about need for an additional cutter to come up to the kind of enforcement that's needed, and there is a need for some additional patrol boats. But I didn't hear any of that testimony here, and I'm just wondering, is there some reluctance by the agencies to make their requests that's needed to do the job that's needed?

Mr. KELLY. Not in my case.

Mr. GILMAN. Have you made a request, Mr. Kelly, to improve the——

Mr. Kelly. I make them all the time, sir. Let me speak to——

Mr. Gilman. In the last budgetary process——

Mr. Kelly. Yes.

Mr. Gilman [continuing]. Did your office recommend reconstruction of these outmoded facilities that you're talking about?

Mr. Kelly. Certainly. But it's not our budget. Some of these facilities are controlled by local authorities, and it's beyond our control.

Mr. Gilman. Well, have you made a request to——

Mr. Kelly. Yes. That's an ongoing process in my office.

Mr. Gilman. And in this past year in the budgetary request, that was denied; is that what you're telling us?

Mr. Kelly. I can't give——

Mr. Gilman. What sort of outmoded facilities are you working with?

Mr. Kelly. Well, let's take Brownsville. We know that Brownsville—if you ever come across the border in Brownsville, it's just horrible.

Mr. Gilman. Well, what is needed there? What would you recommend?

Mr. Kelly. What is needed there is a totally new crossing facility.

Mr. Gilman. Have you recommended that?

Mr. Kelly. Yes, I have. But that happens to be a situation that is totally within the control of the local authorities down in Brownsville, and they have a considerable problem financially with that. Now, we're working with them on it.

Mr. Gilman. Is that State government or local government?

Mr. Kelly. Local, I believe. Local or county.

Mr. Gilman. And recommendation has been made to reconstruct that?

Mr. Kelly. Yes.

Mr. Gilman. Do you need any more personnel or equipment along this border?

Mr. Kelly. Yes. Now——

Mr. Gilman. And have made a recommendation for these things?

Mr. Kelly. Yes, I have. I would like to explain something about that.

I think what we basically need—I think that we have taken initial steps to control the air intrusions and to control sea intrusions. I think this problem on narcotics, and what we were speaking before, the examination of motor vehicles crossing the border and cargo shipments.

Now, I do not mean to imply that I'm satisfied that we get everything out of motor vehicle inspections. We do not. I meant to imply that we're working very hard on that.

What we need in this particular area is a lot more guarantee. We need to be able to come to devices, drug sniffing devices, that will be applicable to motor vehicles. Right now we use dogs to do that, after our selectivity process.

It would be—it would give us a quantum job if we could get into research and development and come to some drug sniffing type * * *.

Mr. GILMAN. Besides the more sophisticated type of equipment that's needed, do you have—presently, do you have enough personnel and standard equipment to do the job that you're required to do?

Mr. KELLY. Yes. Let me be specific about that.

We man every border crossing booth that we have constantly.

Mr. GILMAN. All right. Then, you're satisfied with what you've got to do what you have to do.

Mr. KELLY. Not totally.

Mr. GILMAN. Well, tell me what you want——

Mr. KELLY. I'm trying to, sir.

Mr. GILMAN. Our problem is our time is extremely limited.

Mr. KELLY. All right. I'll try to do it very rapidly.

I'm certain that we man all our border crossing booths 24 hours a day. We don't have room for any more booths. And we have just put in CET teams, contraband enforcement teams, that do a lot of roving work. I just described to you previously the roving operations that we're testing out in front of the booths.

So, insofar as the facilities will allow, we have the people to exercise every possibility we have to exercise. And I'm totally satisfied with that.

The moneys that we'd need would be in the R&D area.

Mr. GILMAN. And Admiral Stewart, do you see any need for any additional funding for equipment or personnel in order to do a better job?

Admiral STEWART. You asked me one question, sir, and I have two hats. So, let me clarify which hat is speaking, if I may.

As far as the Coast Guard is concerned, no. I think our level of resources are adequate.

At the moment, given the national priorities, the Coast Guard's long-range interdiction goal is to make it uneconomical to smuggle by sea. And in order to do that, we firmly believe that we should have a higher level of coordination between agencies before asking for additional resources.

As far as my NNBIS hat is concerned, yes, I do. And I have asked the Vice President. I badly need——

Mr. GILMAN. What have you asked for?

Admiral STEWART. I have asked for some form of radar system which will give us some defense against low-flying aircraft that are coming into the United States across the Gulf of Mexico. That problem is being worked by the Vice President's staff at the present time.

And I have also asked for an increase in the available intelligence in the gulf region, and that problem is also being worked.

But those are two very, very important needs, sir, which I have already addressed to Mr. Bush.

Mr. GILMAN. Well, Admiral Stewart, let me ask you something. There was a report that in order to make a major dent that we'd have to cut down on 70 percent of the trafficking, and you responded to that report that in order to meet those needs, you'd need a cutter, and you'd need some patrol boats and additional personnel. And, yet, I didn't hear any testimony of that today.

Admiral STEWART. Sir, if you are referring to Admiral Gracey's testimony before you, Mr. Chairman, on the 24th day of May in which the admiral agreed to provide this committee with some additional answers to some questions for the record, I am aware of what Admiral Gracey said, and I will defer to the Commandant in that regard, sir. He's already on record in that regard.

Mr. GILMAN. Well, do you substantiate that need to do the job down here?

Admiral STEWART. Sir, I always substantiate the needs of the Commandant.

[Laughter.]

Mr. GILMAN. I guess I should have expected that sort of response.

Mr. Carter, you're saying that you're doing the best you can with what you've got. What do you need to do a better job?

Mr. CARTER. At the present time, as Mr. Kelly indicated, we are fully staffed at the points of entry. The Border Patrol stations are fully staffed.

We are trying to get a border-enhancement package at the present time. If, in fact, that border-enhancement package is approved——

Mr. GILMAN. What does that mean? What is a border-enhancement package?

Mr. CARTER. An additional 1,000 Border Patrol agents and immigration officers along the Texas-Mexican border.

Mr. GILMAN. One thousand agents.

Mr. CARTER. Yes, sir.

Mr. GILMAN. And that's what you would need to do the job that's needed to reduce trafficking? Or are you talking now about the overall illegal alien problem?

Mr. CARTER. The overall illegal alien problem, yes, sir.

Mr. GILMAN. All right. I'm asking you now to concentrate a moment on narcotics. What would you need to do a better job in regard to narcotics?

Mr. CARTER. Well, sir, with our primary function, as I indicated in my testimony, being the apprehension of illegal aliens and the apprehension of drug smugglers going hand in hand with that, I can only state that if we have these thousand agents that we are requesting, we will, at that time, be able to intercept a thousand times more drug smugglers than we do now.

Mr. GILMAN. Well, you don't go out on drug smuggling expeditions, do you?

Mr. CARTER. No, sir, we do not.

Mr. GILMAN. You go out on alien deterrent expeditions.

Mr. CARTER. Yes, sir, that is correct.

Mr. GILMAN. In every one of those arrests, do you usually find some narcotics smuggling?

Mr. CARTER. No, sir, not in every one of those arrests. No, sir.

Mr. GILMAN. Do you go out with some intelligence to arrest potential narcotics smugglers coming over as aliens? Do you have that kind of mission?

Mr. CARTER. There are occasions, yes, sir, when information is provided to us that there is a narcotics smuggler who, in fact, is an illegal alien.

Mr. GILMAN. There's been a great deal of testimony today. Customs, Mr. Kelly talked about the more intelligence effort that they are embarked on and how they are expanding their efforts. And the admiral talked about some additional intelligence. You've mentioned some intelligence.

Mr. Hambrick, you used to be in intelligence in DEA, as I recall. Isn't there a great deal of overlapping here and unnecessary expenditure in overlapping intelligence gathering?

Mr. **Hambrick**; Well, today, I think they're beginning to come together, Mr. Gilman.

Mr. **Gilman**. Beginning to come together.

Mr. **Hambrick**. Yes, sir. It may have appeared that way on the surface at the beginning, but I think you'll find that the President's Organized Crime/Drug Control Task Forces have a very necessary part. They're fully coordinated with NNBIS. NNBIS is now coordinated with——

Mr. **Gilman**. Why do we need separate intelligence gathering groups? If NNBIS is doing such a good job, why can't we concentrate all of those funds and make the dollars more effective in one intelligence gathering unit?

Mr. **Hambrick**. I don't think it's so much the gathering itself of the intelligence, Mr. Gilman. I think that's basically gathered by the same people that always gather it.

Mr. **Gilman**. Well, that's not what Mr. Kelly's saying. He just talked about how they had increased their personnel in intelligence. You folks have people out there in intelligence. I guess, I don't know if Border Patrol has any. There's some intelligence people out there.

Why isn't this coordinated in one central group? It seems to me intelligence is something that would go right across the entire gamut of this operation, and you could have one central group doing the job.

Mr. **Hambrick**. Well, I feel it does, and I still feel that, basically, DEA has the responsibility for ultimately getting all drug intelligence and insuring that there is a proper dissemination.

Mr. **Gilman**. Mr. Hambrick, allow me to interrupt a moment because my time is short.

Do we need five or six different intelligence gathering groups to do the job, or couldn't we do it with one good, centralized, effective unit? That's what I'm, essentially, asking you.

Mr. **Hambrick**. I think it's appropriate——

Mr. **Gilman**. It seems to me that——

Mr. **Hambrick** [continuing]. Being disseminated today, sir. And I think the way the information is——

Mr. **Gilman**. I'm not talking about dissemination now. I'm talking about intelligence gathering.

Mr. **Hambrick**. No, sir, I don't think you could cut down the gathering. I think that you need every individual you can possibly get, no matter what agency or what——

Mr. **Gilman**. Are all of these separate agencies and each one having a separate gathering?

Mr. **Hambrick**. As a gatherer. I think when we look at intelligence—I look at intelligence as the person that gets the raw data, takes and analyzes that data, and then disseminates the data. I think every agent that I have, every customs official, every Immigration official is a gatherer of intelligence. You have to have a proper reporting of that intelligence. It has to be analyzed. And then it needs to be properly disseminated. I think that's where——

Mr. GILMAN. Well, Mr. Kelly, when Customs goes down and gathers the intelligence, where does that go?

Mr. KELLY. It goes to EPIC right now.

Mr. GILMAN. Straight into EPIC?

Mr. KELLY. And it goes to our own intelligence operation in Washington.

Mr. GILMAN. Ah ha. Now, what is your own intelligence operation in Washington? What does that do?

Mr. KELLY. That's an operation that consists of collating and analyzing that——

Mr. GILMAN. Well, there you are. You have their collating and analyzing. You're collating and analyzing. Border Patrol is collating and ana—Isn't there some duplication in all this?

Mr. HAMBRICK. There may be some minor duplication, Mr. Gilman, but each agency is also looking for a separate matter. Immigration is not just looking for narcotics. They're primarily looking at the people intelligence that they have.

Mr. GILMAN. Well, gentlemen, I would hope that you might take a look at that problem and see if, maybe, the Feds could streamline what we're doing, save some money, bring it together in a more coordinated effort, and stop duplicating all of these services.

I know my time has run, Mr. Chairman. I thank you for allowing me to extend. And I thank you, gentlemen.

Please bear in mind, gentlemen, we're here to try to find out how we can do the job better. We're not trying to play games with each other. We welcome your recommendations for trying to streamline and use these dollars more effectively.

Mr. RANGEL. Mr. Ortiz.

Mr. ORTIZ. Maybe I'm missing something. Mr. Hambrick stated that there is an increase of drug trafficking in the area. Then Mr. Hedges said that there has been an increase in the cases that he is finding.

Next the admiral stated that there has been a reduction in some of the narcotics coming in on vessels now.

Are they flying over? What's happening? We see a decrease in one, but an increase in the other.

Mr. HAMBRICK. We've seen a change in smuggling trends, Mr. Ortiz. In the past, I think we had seen an awful lot of vessel traffic, vessel smuggling. They weren't having to secrete it. They were smuggling fairly openly coming into Florida or the southern coast area.

Then we saw where they went into the land routes and air routes. They were still fairly open. I think that that came out in the testimony here today.

Now, we're beginning to see a reemerging of the sea vessel, but with concealment involved. So, the loads are somewhat smaller to allow for that concealment. But we're still getting the loads in by sea. It's more expensive, and they're not allowed to bring as large a load in.

But I think it was pointed out by Mr. Kelly, we have not seen a decrease in air traffic or air smuggling.

There's two ways to look at that. You can look at the stats and say: OK. The stats reflect, to us, a decrease in the number of air smugglings that we've encountered.

To me, the key word is encountered.

We know that we're fighting a losing battle daily attempting to get aircraft up to intercept the smuggling aircraft whose going to fly over a predestined location, kick the goods out of the side of the airplane, and keep going. Now, we may intercept that aircraft and pull it down, but the chances of it having anything left on board are very minute.

Now, it sounds confusing, but it's all still there.

Mr. **Ortiz**. Another question, when you have your meetings, are only Federal agencies included? In your intelligence gathering and dissemination the information that you get from the local level?

Mr. **Hambrick**. Yes, we do. In several forms. One is through Mr. Hedges' LEC meetings, and the other is through the booklets that we automatically send out to disseminate the information that we get, as well as the operation on the local level between the DEA officials and the State and local officials.

Mr. **Ortiz**. I have another question that I would like to ask now. Knowing how extensive drug trafficking is and how much money it involves, do you feel that you have enough buy money to conduct the buys so that you can build your cases at this point?

Mr. **Hambrick**. We could always use more money, Mr. Ortiz, to carry out our operation. No, I couldn't tell you that we've got enough money. We could always use more because of the sophistication of the groups that we're dealing with.

However, the one thing that we've tried to do to offset that need for money, which goes back into the taxing base, is to get with the other agencies and start pooling this intelligence that we were talking about with Mr. Gilman a while ago, which has resulted, as Mr. Hedges said earlier, in four major, good operations that we've brought to a successful conclusion in the Texas area that utilize, not only Federal, but Federal, State, and local agencies, where none of us could have done it independently. None of us had the money to do it independently. But by banding together and sharing the intelligence and everybody understanding they weren't going to lose their part of the case, all four were brought to a successful conclusion and involved multistates.

Mr. **Ortiz**. Do you have any figures on how much money has been seized when you make an arrest?

Mr. **Hambrick**. I don't have that for a national level at the moment, but it goes into the General Treasury. It doesn't come back to the agency.

Mr. **Ortiz**. It does not come back to the agency.

Mr. **Hambrick**. Not at the Federal level; no, sir. It goes to the General Treasury.

Mr. **Ortiz**. I'll pass on.

Mr. **Rangel**. Mr. Hance.

Mr. **Hance**. I have one quick question to Mr. Hedges. On your case load, how many of your cases actually go to trial and how many are pleading guilty for some type of plea bargaining?

Mr. **Hedges**. I think it's a vast, vast majority that plead guilty, particularly—it depends on the kind of case that you're talking about. The drug task force cases, which are monstrous cases and a great deal is at stake and there's a likelihood of extremely stiff sentences, you're more likely to go to trial on that kind of case than a person who is seized at a border crossing with a relatively small amount.

The Brownsville case load is an enormous one, and the Laredo. A vast percentage of those cases result in guilty pleas.

Mr. HANCE. When you're involved in plea bargaining or trying to come to an agreement, do you go after evidence that will help you in other cases, and are those cases larger or smaller or just any kind of case?

Mr. HEDGES. Generally, cases that are larger.

Mr. HANCE. Last night I watched the television program "60 Minutes." I don't know if you saw the program or not, but it was reported that the U.S. Attorney's Office had given immunity to a guy for his testimony, on drug trafficking when he was the kingpin of the whole operation. He testified against the mechanic that worked on the boat and the man that loaded the boat. They got 10 or 15 years and the kingpin walked away. It was a pretty interesting story.

But it made me wonder. I think most prosecutors, if they're going to take evidence and use it, try to go after larger fish.

Is that pretty well the rule? Or, do you just go after whoever you can?

Mr. HEDGES. Generally, you try to move up instead of trying to move down.

But I did not see that. I think I was still watching the demise of the Dallas Cowboys at the time. It was State tragedy.

But we do have some situations where there are other cases involved where that person, as part of his plea bargaining, will give you all the people below him, but also as part of his plea bargaining, may be giving you somebody in another investigation.

We had a case very similar to that recently. It was not a narcotics case. It was another kind of case. And the judge, not being aware of this other possibility over here, thought we were doing exactly what you mentioned pleading to get lower people and threw out the plea bargain.

But sometimes, there is something more there than meets the eye, and that may have been the case with the "60 Minutes" presentation.

Mr. HAMBRICK. Mr. Hance, that's very common. If you look at the individual's case and he was that high, the only people he could give up were the lower-ups in his organization. But it would not be the rule that we would agree to let him just give his own operation up. We'd insist that he give somebody else's operation up, if he were that high, plus his own operation.

So, I'm not saying that the show was tainted. I didn't see it. It could have left one-half of that out and only said: OK. Yes, in his own operation, he gave up so and so and so and so.

Which, of course, would leave the other missing.

Mr. HANCE. I understand now.

One other thing, just an observation. With all the different intelligence in all the different agencies, and I'm sure there is some coordination, but I'm surprised that you're catching as many people as you do. It seems like that there's just so many people involved that there should almost be one or two individuals working full time just to coordinate what everybody is doing.

Mr. HAMBRICK. We do kind of have a clearing house that, maybe, I didn't hit strong enough earlier, in El Paso. We have the El Paso intelligence center.

In that center, it's just, really, Drug Enforcement Administration. It's Coast Guard. It's Immigration. It's Customs. It's FBI. It's IRS. It's ATF. And it's the State. Or, the State is able to get information from it.

It's one, central location where all of the various agencies' data bases can be checked with one single phone call into it, which we, at the Federal level, use. By the way, NNBIS is also involved with EPIC. We at the Federal level use it. The State can make a call, and so can the local departments in through the State authorized network.

So, there is a clearing house for all of this intelligence.

Mr. HANCE. Thank you very much, Mr. Chairman.

Mr. RANGEL. The committee is glad to have with us the Congressman from eastern Texas, an outstanding member of this committee and a hardworking member, and also a subcommittee chairman of the Judiciary Committee. So, we welcome and thank Sam Hall for being with us this morning.

Mr. HALL. Thank you, Mr. Chairman.

I have the advantage of being a member of the Immigration Subcommittee of the Judiciary Committee, as well as a member of this committee, and I have heard some testimony here today that is of great interest to me.

Our Immigration Subcommittee made a trip down to the Chula Vista, CA area last year—year before last, spent several days there, watched the operation of the Customs as they crossed the border. Stayed there in a area with the customs official who was trying to get a profile on people as they came through, as you said, in several seconds of time.

While I was there, he saw something that aroused his attention, and they were directed into a little area. The people that he stopped had something in the automobile. So, along that line, even though they have a small amount of time to spend with these people, they do have an idea of what they're looking for. And they can see things that an ordinary person cannot see.

Now, with reference to Mr. Carter's testimony—or, statement, and let me say at the outset, I think every one of you at this table need more people, you need more money. Whether you admit it or you don't.

In the immigration area, and it gets back to what Mr. Carter said a moment ago, I understand you have about one person every 13 miles——

Mr. CARTER. Yes, sir, that's correct.

Mr. HALL [continuing]. To try to take care of the border between Texas and Mexico or Mexico and California in that area.

Mr. CARTER. That is correct, sir.

Mr. HALL. Which is an impossibility. I think that you'll admit that it's an impossibility to do it.

Now, we have, in the committee, attempted to get more people. You say you need 1,000 people. We tried to get you 1,200, but both administrations, the present administration, and the past administration, would not fund it, to get you down to one person every 4 miles, which we were told would be a sufficient number of people per miles to try to put some control on that border.

Do you agree with that?

Mr. CARTER. Yes, sir. I do agree with that.

Mr. HALL. Now, you also said a moment ago, or someone said, that the border down here is fully staffed. Now, I don't know who made that comment.

When we were down in the lower portion of California, we were told by Customs that, first, you were not fully staffed and, secondly, that you were having people work probably two or three straight shifts because you didn't have enough people to fill in.

Now, is that the situation in the Houston area?

Mr. KELLY. No, that is not the situation. We have a little ups and downs by attrition, but we've made staff studies, on all of our districts along the border. And we're satisfied with the numbers, and we try to keep them fully staffed.

Now, we might have a little attrition going on, but other than that, they're fully staffed.

Mr. HALL. Well, do you have any occasions where you might have one shift of men working two——

Mr. KELLY. No, sir.

Mr. HALL [continuing]. Or three shifts in a row——

Mr. KELLY. No.

Mr. HALL [continuing]. Because they don't have replacements?

Mr. KELLY. No, we do not have that situation.

Mr. HALL. Well, have you ever heard of that existing in California?

Mr. KELLY. I sure would hear it in a hurry from my union, and I have not. And I would hear it from my supervisors, and I have not. I do not believe that situation exists.

Mr. HALL. Now, another thing, Mr. Carter, you say that the apprehension of drugs goes hand in hand with the immigration problems.

Mr. CARTER. Yes, sir.

Mr. HALL. Well, are you stating to the committee that the majority of the immigrants who come here illegally from Mexico are bringing drugs with them?

Mr. CARTER. No, sir, I'm not.

Mr. HALL. Well, would you elaborate and explain to me what you mean by that statement? Because we have been told in our other committee just the opposite from that statement.

And the reason I'm bringing it up is not to try to test the credibility of anyone. I accept the credibility of all of you gentlemen at face value.

But we do have some areas where there might be some problems that exist that if we know about those problems, we may be in a position to help you?

Now, I've always had in the back of my mind that a lot of the illegal alien traffic coming into this country, after it gets into Washington, DC, New York, Chicago, Philadelphia, Boston, and it's all over the country, we know that, that you might have some Mafia connection, which we've been told by the people that you don't in any large measures.

But when you say that there is a great amount of drugs hand in hand with immigration, I haven't heard that before. I wish you would elaborate on that.

Mr. **Carter**. Examples being that our Border Patrol traffic checkpoints, those that are especially the functional equivalents to ports of entry.

We have a number of cases. As I indicated in my statement, one particular case, 43 pounds of—excuse me—13 pounds of cocaine, $418,000. The individuals in possession of those narcotics were Colombians.

At the same particular checkpoint, on numerous occasions, the individuals in possession of narcotics are also illegal aliens.

We find not nearly as many individuals entering without inspection between the ports of entry being in possession of narcotics.

Mr. **Hall**. Well, the narcotics that these people bring over across the Rio Grande, that's not any large amount in the sense that we're talking about with Mr. Hambrick and those that Mr. Hedges has talked about in prosecuting. I would assume that.

Mr. **Carter**. That is correct.

Mr. **Hall**. It's a correct statement.

Mr. **Carter**. Yes, sir, that is an accurate statement.

Mr. **Hall**. All right. Do you believe that if you had an additional 1,000 men on that border, would that, to any great extent, put a dent in narcotics traffic coming into this country? Or would it just stop the wetback problem, or, say, hinder it? You're not going to stop it, but maybe slow it down.

Mr. **Carter**. I don't believe that it would do any more than put a dent into the narcotics problem, and it would just damper the—slow down the individuals entering the United States without inspection. It would not stop it, no, sir. Not by any means.

Mr. **Hall**. All right.

Thank you, Mr. Chairman.

Mr. **Rangel**. The committee will just pause for a minute to allow the reporter to change the paper.

[Pause.]

Mr. **Rangel**. Mr. Hall.

Mr. **Hall**. One additional question. When we were in the lower California Chula Vista area, because of the—and, Mr. Kelly, this might be something that you or Mr. Carter can answer.

We went out to an area there, and we found, or saw, impounded, close to an airport, if I remember correctly, or an airstrip, 150 or 200 automobiles that had been impounded there for a great number of months, and maybe longer than that, years. And they told us that they had not been sold, the procedures had not been followed to dispose of those automobiles because of the absence of personnel.

Do we have enough people? That's my point. To do a job.

Mr. **Kelly**. That type of problem is handled by people on administrative staffs. And, first of all, the length of time that a vehicle can remain on our hands, sometimes, can lengthen because they have to forfeited, either administratively or through the U.S. attorney's office in a court of law.

But following that, it can be forfeited to the Government and either sold at auction or we have a new system now where we put them together and trade them in and receive, in turn, motor vehicles that we can use.

And we have had some problems in that area. And in response to a GAO audit of last year, we have, this year, taken some substantial steps to improve that process. And I think that problem has been solved at this particular point. There was a problem before.

Mr. HALL. Thank you, Mr. Chairman.

Mr. RANGEL. Mr. Kelly, that may have been an administrative problem, but in looking over your testimony, inspectors really have line corps responsibility, right?

Mr. KELLY. Right. Yes, sir.

Mr. RANGEL. And as relates to Corpus Christi, in your testimony on page 4, you start off in 1980 with four inspectors, went up in 1981 to six inspectors, and actually have reduced your inspectors to five for 1982, 1983 and 1984; is that correct?

Mr. KELLY. I'm attempting to reduce to four as soon as somebody retires or otherwise leaves.

Mr. RANGEL. You're reducing the inspectors to four.

Mr. KELLY. Yes, sir.

Mr. RANGEL. And Mr. Hambrick had testified that it was his opinion that Mexican heroin was accounting for 34 percent of the heroin coming into the United States, and he also indicated that the movement of heroin into the United States has been largely restricted to the use of vehicles and individual couriers and that this remains the case today.

Mr. KELLY. We don't have a——

Mr. RANGEL. And I take a look at your testimony——

Mr. KELLY. I'd like to explain. We don't handle——

Mr. RANGEL. I take a look at your testimony, and it says that your unique responsibility is preventing the smuggling and illegal entry of narcotics and other contraband into the United States.

And then in reviewing the success of that, as relates to what we hear in Corpus Christi about where you're looking forward to a reduction in Customs agency, it seems as though——

Mr. KELLY. Well, I——

Mr. RANGEL [continuing]. That in 1980, you seized no heroin. In 1981, you seized no heroin. In 1982, you seized 1 pound of heroin. And in 1983, you seized 45 pounds of heroin.

Mr. KELLY. Right. That was in Brownsville, the 45 pounds.

Let me explain——

Mr. RANGEL. Well, then, there was really just 5 pounds of heroin in Corpus Christi.

Mr. KELLY. That's correct.

Mr. RANGEL. So, a total for 1980 to 1983, you've seized a total of 7 pounds of heroin.

Mr. KELLY. That's right. But that doesn't relate to customs inspectors. We also have patrol officers in this vicinity, and I think they should be increased, because we're, obviously, not getting what we should be getting out of this area.

The inspectional force here handles commercial business importations into a particular port. We have approximately 650 vessels arrive here per year.

Mr. RANGEL. Well, how many pounds of heroin—Since you say that this is your mandate, to stop it from coming across the border. DEA says that this is one of their most serious problems as relates to Mexico. You're having a reduction of staff as relates to inspectors——

Mr. KELLY. Right.

Mr. RANGEL [continuing]. And feel satisfied that you have adequate resources——

Mr. KELLY. That's in a commercial area.

When I talk about the narcotics effort here, we're talking about patrol officers. We have eight here. I think we need more.

Mr. RANGEL. You're satisfied that you have——

Mr. KELLY. No, I'm not satisfied. I'm satisfied with the amount of personnel that we have here to do our commercial work. To do our enforcement work, I'm not satisfied, and I need some more people in here.

Mr. RANGEL. I misunderstood you entirely, Mr. Kelly.

Mr. GILMAN. Mr. Chairman, would you yield?

Mr. RANGEL. I yield.

Mr. GILMAN. That was specifically what I was addressing before, Mr. Kelly, and you said you thought you had the adequate resources, except for the outmoded facilities.

Is there some need for personnel? Is there some need for additional personnel?

Mr. KELLY. Yes, of course.

Mr. GILMAN. Well, please, be frank and tell us. That's what we're here for.

Mr. KELLY. I thought I was doing that.

Mr. GILMAN. What do you recommend by the way of——

Mr. KELLY. I make specific recommendations every year in my budget request.

Mr. GILMAN. What have you requested for your region?

Mr. KELLY. I cannot recall it to mind. I would say it's not in excess of 10 percent of our present personnel resources.

Mr. GILMAN. That's in all categories, now.

Mr. KELLY. All categories.

Mr. GILMAN. Commercial, noncommercial.

Mr. KELLY. Right.

Mr. GILMAN. Ten percent additional personnel.

And will that help you do the job properly?

Mr. KELLY. Certainly.

Mr. GILMAN. Thank you.

Thank you for yielding, Mr. Chairman.

Mr. RANGEL. It gets a little more confusing, but you're saying that you have no problem with decreasing your commercial inspectors in Corpus Christi.

Mr. KELLY. Right. Now, on the enforcement side, that is different.

Mr. RANGEL. OK. Now, these figures in your testimony, as relates to heroin seizures, is that commercial heroin seizures?

Mr. **Kelly**. No. Heroin seizures come under law enforcement part of my responsibility. I have a great responsibility in the commercial area, as well.

Mr. **Rangel**. OK. But you're saying that in 5 years—in 4 years, that you've seized 5 pounds of heroin.

Mr. **Kelly**. In this area. In Corpus Christi, yes.

Mr. **Rangel**. Seven pounds in Corpus Christi.

Mr. **Kelly**. Yes. It's not enough.

Mr. **Rangel**. And then, you also allege that that's your unique responsibility, to prevent the smuggling and illegal entry of narcotics into the United States.

Mr. **Kelly**. Right.

Mr. **Rangel**. So, how do I walk away, Mr. Kelly, in saying to the people of Corpus Christi that if you're assuming this as being your unique responsibility protecting the border and that in this very area that we're having hearings, you know, you've got a 10-percent request for an increase in personnel, but that there's no specific things that we can do to improve things? And heck, we seize more than 7 pounds on the corner on which I live annually. Of heroin.

What am I not understanding here?

Mr. **Kelly**. Well, I understand that we have not been successful in seizing heroin in Corpus Christi if, indeed, it is coming in here. I'm not aware that—We don't have any specific intelligence that it is. But we're not seizing it. That I know.

Mr. **Rangel**. You had a big seizure, I guess, in Brownsville. You got——

Mr. **Kelly**. Forty-five and a half pounds.

Mr. **Rangel**. Yes. Well, you had 1 pound from Brownsville in 1982. If what you're saying is that there's some question as to whether or not it's coming in, you're the professional.

Mr. **Kelly**. Well, we know it's coming in, and we, frankly, haven't been too successful in intercepting heroin. We've done quite well on marijuana and well in cocaine. In heroin, we haven't done so well.

Mr. **Rangel**. Well, I think I started off on the wrong foot with you, but I started trying to say that the DEA is saying that most drugs are coming in with individual couriers and automobiles, and that's how they are crossing the border. And somehow, you thought I was attacking the professionalism of Customs.

But what I was trying to say is that if it's coming across that way and you have the responsibility to protect the borders, and I look, and from your own testimony, from this area, 5 pounds, from the Brownsville area, 45 pounds, then something is wrong.

Mr. **Kelly**. Yes.

Mr. **Rangel**. It may not be the professionalism.

Mr. **Kelly**. No, I understand what you're saying. What is wrong is heroin comes across in very small amounts. If it comes on a merchant vessel, it comes into Corpus Christi. The hiding places on a merchant vessel are just thousands upon thousands. It's very difficult to search a vessel and find a hiding place for a package of heroin or coke could be.

OK. Now, as I said before, a total interdiction strategy, I think we can get a handle on intrusions by air, by the things we're doing after the contraband act was relaxed and getting the Defense Department resources.

With the help of the Coast Guard, I think we get a handle on what's coming by vessel.

What we're having great difficulty with is shipments of narcotics that come across concealed on vessels or in cargo. And I think the ultimate solution to that is technology.

We, in Customs, do a lot of research and development technology to get some machinery to be able to, through chemical analysis, as a fight against a container of cargo.

Mr. RANGEL. Well, have you told this to your colleagues——

Mr. KELLY. Yes.

Mr. RANGEL [continuing]. And to law enforcement——

Mr. KELLY. Yes. And we have——

Mr. RANGEL. Do you have regular meetings with your colleagues here in the Coast Guard——

Mr. KELLY. Oh, sure.

Mr. RANGEL [continuing]. And DEA?

How often do you meet?

Mr. KELLY. Well, we meet on an ongoing basis.

Mr. RANGEL. I know. But do you have formal meetings——

Mr. KELLY. Sure.

Mr. RANGEL. Is there a strategy that you guys have come up with that we can take back and say that, perhaps, we can increase our productivity, but the people on the front line believe that this is an area that the Congress should concern itself with? Is there a strategy for the Texas border narcotics problem that we can take back to the Congress?

Mr. KELLY. The best thing that the Congress can do for us provide us some way of rapidly developing new technology that will, for lack of a better word, sniff out hard narcotics as it could be applied to containers of merchandise and packages and motor vehicles.

That's where we could use some help.

Mr. GILMAN. Well, Mr. Chairman, if you'll yield, do you know whether any research is going on now at the present time?

Mr. KELLY. Yes. We have an inhouse R&D department that's working hard on this. I would like to see those efforts extended outside the Customs Service even.

Mr. GILMAN. Well, do any of you gentlemen know whether any of the other services are engaged in this kind of research or requested it?

Mr. HAMBRICK. We know that we're working with the Customs Service in their R&D, one R&D to another, Mr. Gilman, in attempting to come up with some kind of a sensing device, which is drastically needed by both.

I think that we have not been too successful in what we've tried so far. And I think that's what we're trying to bring out.

Mr. RANGEL. Mr. Hedges, we visit other communities throughout the United States, and we have found with local authorities that the number of actual arrests have been conditioned on the expense of a trial. And it's just heartbreaking, as an American, to see the American justice system breaking down to that extent.

There is no question some of our urban communities that the commissioners of prisons dictate to the judges what their probation and bail procedures have to be because of lack of space in the jail. There is no question that many of the judges have instructed the prosecutors as to the number of cases that they can handle because of case load. And it's my understanding that a lot of prosecutors have then informed local enforcement officers that they just won't be able to handle a large number of narcotics cases.

Now, we've been forced to accept that on the local level, and you came pretty close to saying that we are about to have the same problem on the Federal level. In other words, you said that case load is with the courts, and that's another problem. And let the judges and the Federal Bureau of Prisons handle that.

I don't know whether we'll be hearing from the judiciary branch of Government, but I do hope that you'll be able to get some type of paper to the committee that will give us a chance to evaluate as to whether or not we can expect, either now or sometime in the future, that people will just not be arrested because of the inability of the judiciary system to process the arrests.

Mr. **Hedges**. Can I respond very briefly?

That hasn't happened, yet, and I certainly hope it doesn't. We've come pretty close. I have had the marshal call me on two occasions to say we, literally, do not have a single space in a single jail to which we have access in the southern district of Texas.

And rather than just stop making arrests, we scrambled and we have come up with something. But it has actually reached that point.

Mr. **Rangel**. Well, it should break your heart, as a prosecutor, to know that throughout these United States, on the local level, this is happening. And this is especially so when the counties have to— or the sheriffs have to go out and get elected, and the counties have to pay increases in taxes because they've had some big narcotics problems.

Let me thank you on behalf of all the members of this committee. I do hope that you interpret the severity of our questioning as just our way of trying to help. It's very difficult for us to return to our constituents and explain how everything is increasing in terms of success and how we're appropriating more money and how everyone is satisfied with the way things are going, only to find out that we also are telling them to expect a bumper crop.

And we're not trained in diplomacy, but one thing is clear with the Mexican Government. It appears as though they have lesser arrests now than ever before of narcotics traffickers, but their cooperation with our efforts have increased.

So, that's—we will have to get people to interpret that for us, too.

But we want you to know that our record will remain open. If there were questions that you wished that we had asked you or because we cut back in your testimony, then we want you to know that you can send that directly to us in Washington, and it will be inserted in the record.

And I will ask Congressman Ortiz to close out the panel for us.

Mr. **Ortiz**. Just one more short question.

You were talking about narcotics being big business, big money. At what point is IRS being referred to some of these cases?

Mr. **Hedges**. A great deal. IRS is a member of the drug task force. They are present. In a substantial percentage of those cases, IRS has a very major involvement.

I think, because of the way we're approaching those cases, a lot of them are going to be—they're going to end up being tax cases. We're going to end up getting some of the major traffickers, not on drug charges, but on tax charges. IRS is intimately involved.

Mr. **Ortiz**. Thank you very much.

Thank you, Mr. Chairman.

Mr. **Rangel**. I thank the entire panel.

We'll break for 5 minutes, and then the next panel will be the sheriff of Brownsville, Mr. Rousseau; the sheriff of Corpus Christi; the police chief of Corpus Christi; and the chief of police of Brownsville.

Recess for 5 minutes.

[Recess.]

Mr. **Rangel**. The committee will resume our hearings.

At this time, we'll hear from our local law enforcement panel.

Mr. Rousseau is not with us from Brownsville.

Mr. Hickey, the sheriff of Corpus Christi.

Mr. Banner, our chief of police here.

And Mr. Vega, who is the chief of police of Brownsville.

As you can see, we're very interested in asking questions and trying to find out how we can be helpful. We're here to help and not to be critical, even though, unfortunately, sometimes we come across that way.

We have your prepared statements. We hope that you could summarize them. And even to the point of after we conclude, if there are some questions that you wish we had asked, then time permitting, I would ask you to give answers to those things that are not covered.

Suppose we start with Mr. Hickey, right here from Corpus Christi.

TESTIMONY OF JAMES T. HICKEY, SHERIFF, NUECES COUNTY, CORPUS CHRISTI, TX

Mr. **Hickey**. I think we've heard in the testimony and will hear more of the type of testimony we've heard that we do have a very serious problem. We've been working on it with traditional methods for many, many years, and we have not solved the problem.

And the consensus that I'm able to gather of the various law enforcement administrators of this area and of the recently reactivated Coastal Bend Major Crime Task Force is that we are probably getting, in confiscation of narcotics, the proverbial tip of the iceberg. Probably, 1 percent, if that.

And the problems that I find among my fellow officers in this area is that they feel that shortages of manpower, equipment, and funds; the decreased personnel levels of Federal enforcement agencies; lack of educational programs in the schools, for instance, to forestall entry into drug use; lack of specialized training for narcotics agents; and other operational deficiencies that we usually find in any function that is less than reasonably successful. All of these contribute to our problem and are the things which we must overcome.

While I feel that the enforcement effort can and must be developed to its highest potential, it is not alone the answer to the problem.

I think as solutions to it, of course, first of all, that we must feel that, while law enforcement is not the total solution, we must move forward in that area as if it were.

And as enforcement solutions, I would propose the allocation of realistic levels of Federal manpower to those areas that experience and are most suitable to extensive infiltration of narcotics, most notably, here in this area; assistance at the local level in equipment funds; cooperation and communications capabilities among agencies at all levels, which can best be affected at the Federal level.

As a departure from traditional type enforcements are deterrence efforts. I would say this is in addition to the present criminal penalties of fine, imprisonment, confiscation and import taxation. There should be imposed on the narcotics dealer a more comprehensive penalty that precludes the possibility of exemption from laws due to complication, for example, on the basis of the Government's inability to prove that certain assets were derived from narcotics profits.

Now, I first heard of this almost 2 years ago, and I thought that this particular concept did not receive the attention it deserved at that time. And I feel it should be explored.

One of the misunderstandings at the time was that we would just tax people who were dealing in narcotics and let them go their merry way. This, of course, was not true. This would be a penalty in addition to all of the other penalties.

This would be that if a seized narcotics inventory were defined as ordinary income, because of the known, rapid turnover of the product, then the street value of that inventory could be the basis of a tax levy. In other words, the liquidity, the negotiable nature of a narcotics substance would make it the equivalent of cash and the mere possession would make it taxable as unreported, ordinary income.

A statute could provide for the legal presumption to so define narcotics. Where now there are many assets excluded from confiscation, none of them would escape a tax lien issuing from an IRS action. The deterrent effects would be considerably more than the trafficker now faces as penalties.

Enforcement, though, as I've said, is not enough, and another approach is needed.

In viewing the manner in which we arrive at a given place of circumstance, can we not also consider the same vehicle for our return? The influences which caused the problem of widespread narcotics use can be applied in reverse fashion. At least, some can.

The harmful advice of professionals and other significant figures in the sixties and seventies exhorting students to try marijuana, for example, can be reversed by persons of today in that category who speak the truth about the dangers of narcotics, but more importantly, who express disapproval of their use.

Many who extolled the benefits of drugs earlier have reversed their position after having had the chance to study longitudinally the effects of narcotics in the lives of users. But who hears their repudiation of their own earlier ignorance? The news media is not as attentive to the issue as they were when a forbidden act was being advocated by someone who, by virtue of his position, demanded attention and respect.

I suggest that we fight fire with fire. That is, that in the same way in which Americans were exposed to bad example, bad advice, bad lawmaking, bad judicial decisions, wishy-washy sermons from the pulpit, leadership lacking in principles and fortitude, impotent and uncaring parenting, let them now be exposed to the opposites in a most positive way with the only negative expression being our extreme disapproval of harmful practices.

Historically, Americans have measured up to whatever emergency endangered their wellbeing. They can measure up to this present plague if proper leadership exists, if good example is set and encouraged by those whom they trust.

I suggest it is possible to establish, on a national level, a movement which would not only make our society aware of the need to regain its moral balance, but would also instill in many of those whom we trust to lead, the courage to loudly and publicly disapprove of narcotics use. Approval helped to bring on the abuse. May not disapproval help end it?

I was reminded after the drafting of this statement by talking with Lt. Gen. William Maloney of the U.S. Marine Corps, who was here recently, who said that they are eliminating many of the problems of drug use in the Marine Corps by one aspect, one element, of what was earlier the cause of it, and that is peer pressure that individual marines are expressing their disapproval and their fellow marines are listening to them.

Such a program would be an ambitious undertaking and would call for resources not available at the local level in the organizational and communication requirements. At the Federal level, much more is possible. All that is required to begin is leadership.

Thank you.

Mr. **Rangel**. Thank you, Sheriff.

[The prepared statement of Mr. Hickey appears on p. 195.]

Mr. **Rangel**. The committee would like to hear from Bill Banner, the chief of police of Corpus Christi.

TESTIMONY OF WILLIAM C. BANNER, CHIEF OF POLICE, CORPUS CHRISTI, TX

Mr. **Banner**. Thank you, Mr. Chairman.

The issue of drug trafficking and drug abuse today is a multifaceted problem that affects a community in a manner unlike any other criminal activity. Drug abuse spans generation gaps, cuts across sociological and socioeconomic planes, and touches virtually every segment of American society. South Texas and Corpus Christi are certainly included in that segment.

Intelligence information indicates that, as a result of intensified Federal efforts toward the interdiction of marine and air narcotics smuggling in south Florida, there is a probability that an undetermined portion of that smuggling activity will be, and is, redirected toward other gulf coast areas.

Furthermore, there are recent indications that connections between south Texas and Coastal Bend figures and Florida drug traffickers and suppliers have been established to a more significant degree than in the past.

The Coastal Bend, because of its flat continental shelf and remote stretches of uninhabited beaches, affords smuggling vessels a topographical advantage over many other, more populated areas.

In addition, the rural area adjacent to Corpus Christi consists mainly of isolated farm and ranch land that is especially conducive to the construction and maintenance of clandestine airstrips.

Because of the geographical advantages and the minimum numbers of law enforcement personnel to cover this large territory, the Corpus Christi and the Coastal Bend area certainly could be considered a prime avenue for narcotics smuggling activities.

Along with being geographically suited for smuggling activities, Corpus Christi is also the first major city with an international airport north of the eastern Texas-Mexican border.

In addition, factors such as having convenient water access, rail and trucking facilities being north of the Border Patrol checkpoints make it plausible to consider Corpus Christi as an advantageous link in the overland distribution routes of illicit narcotics that are destined for points farther north.

As a result, the incidences of trafficking in marijuana, cocaine, heroin, and methamphetamine in our city are increasing.

Because of the greater quantities of narcotics, the price of the drug is steadily dropping, thereby increasing their availability to a greater number of people.

For example, in 1981, a kilo of cocaine in Corpus Christi was priced at $75,000. Today, that same kilo can be purchased for $40,000.

In addition, the cocaine distributed on the streets of this city last year averaged from between 30 and 40 percent in purity, whereas recent seizures of the drug have indicated a consistent purity of over 80 percent.

Similar statements can be made about recent heroin and methamphetamine seizures.

The enhanced quantity and quality of narcotics can only lead to increased trafficking activities in the future.

Other factors, such as, reduction of personnel in the local DEA office, make the role of the police in drug enforcement difficult, at best.

As the Federal Government has recently experienced, successful narcotics enforcement in any area is costly, requiring vast resources of manpower and material if that effort is to prevail. Local jurisdictions are hardpressed to provide such efforts, especially in the face of municipal budget cuts and reduced or canceled Federal programs previously in existence that were designed to assist municipalities in law enforcement efforts.

Adding to the problem is the increasing sophistication of the population that is using the drugs; for example, the recreational use of cocaine by professionals is becoming widespread. And as a result, it has become difficult for police to penetrate the social circles and professional relationships that exist.

It is also common in south Texas for heroin and marijuana trafficking organizations to consist exclusively of entire families, therefore making it very difficult for police to infiltrate, or even develop information about, their activities.

However, as difficult as the problem may seem, steps are being taken to combat it. For example, there are an increasing number of drug educational and treatment programs in existence today in Corpus Christi. There further appears to be a new emphasis to educate citizens on drug abuse, treat those individuals who are addicted to drugs, and to provide service and information to the community.

Furthermore, an aggressive drug policy has been adopted by our local school district that provides for mandatory suspensions for those students who bring illegal drugs onto the campus.

New laws have been enacted on the State level to combat the increasing drug problem in Texas that provide for enhanced penalties for aggravated drug offenses and forfeiture provisions that offer law enforcement the means to seize assets of drug offenders in certain trafficking offenses.

In addition, a wiretap statute has been enacted that has proven to be a successful tool against major drug traffickers.

These endeavors to combat drug abuse and narcotics smuggling clearly point out that it is not only a police problem, but a societal one. If we are to be successful in our efforts to substantially reduce its effects on our cities, it is essential that we address it within that scope. Only with the combined forces of government and citizens working together will we be able to realize our goal.

Thank you.

Mr. RANGEL. Thank you, Chief Banner.

[The prepared statement of Mr. Banner appears on p. 198.]

Mr. RANGEL. Chief Vega, Brownsville Police Department.

TESTIMONY OF ANDY VEGA, CHIEF OF POLICE, BROWNSVILLE, TX

Mr. VEGA. Mr. Chairman, initially, I'd like to thank you and this committee for allowing me to be a part of this panel. It certainly gives me an opportunity to present my vews as far as drug abuse and drug trafficking is concerned in our jurisdiction.

My prepared statement has been delivered to you, and I will try to read some excerpts from it and try to make the high points. Some of this information has already been stated in previous testimony.

Initially, I mentioned in my report that we have a unique situation in the city of Brownsville in our lower valley because of the fact that we are right on the border next to Mexico.

Many people will argue whether or not this is an advantage to us, both politically and economically. I think this is a point of much discussion.

I venture to say, from the standpoint of law enforcement, we do have a problem.

The figures that I mention in the report are just simply to give you an idea of what the situation is, some of the things that we have to deal with, and I think that I speak for many cities of comparable size throughout the border from Brownsville all the way to San Diego, CA.

The city of Brownsville has a population of about 90,000 people. The Chamber of Commerce has estimated that we carry about 50,000 residents between September and April of each year.

In addition to that, we have 350,000 citizens in our sister city of Matamoros.

Conservatively speaking, I would say they have about 130,000 citizens that we have to deal with on a daily basis in our community.

Geographically, the city of Brownsville covers about 30 square miles, and we currently have about 112 officers, with about 33 civilian support personnel.

Certainly, if you start considering the number of calls with 130,000 people, that certainly is not enough to cover the substantial amount of reserves that it requires within our community.

This brings us to the issues under consideration by this committee.

In order to effectively launch a full-scale and effective drug enforcement program within our community would take about, roughly speaking, 20 officers to work the street drug peddlers and the bulk smugglers.

The only unit that we currently have that is operational is the Cameron County Organized Crime Task Force, which is an offshoot of the Brownsville Police Department, and this force consists of two field officers, a supervisor, and a secretary.

Gentlemen, this is hardly the beginning to try to effectively launch a narcotics enforcement program in this area.

Because of our current economic situation, we have not been able to hire additional personnel to reinforce the ranks and adequately serve the day-to-day activities of police service, much less to implement a specialized, adequately manned, and fully equipped narcotics enforcement unit.

Over the years, our crime task force has, in combination with the various Federal law enforcement agencies, addressed drug trafficking in the area. However, this system appears hardly adequate since the Federal agencies recently have experienced that they are not adequately staffed either.

Even so, a great number of cases have been made with their combined efforts, and they are to be commended for what they have accomplished.

What can we do with the narcotics and drug trafficking problem? This has been, and will continue to be, a very serious question to all in law enforcement and, certainly, to the citizens that we serve.

Initially, in the late sixties, the Omnibus Crime Control Act through the Law Enforcement Assistance Administration, Federal funding was provided to the local agencies in the United States. The act served its purpose well, with, perhaps, some reservations.

Since the abolishment of this agency, the State of Texas has now taken on the responsibility of categorical grant assistance to local law enforcement agencies.

However, the same criteria to determine how these funds are distributed to the various regions remain basically the same as they were when Law Enforcement Assistance Administration was in effect. The funds are distributed on the basis of population density and the statistics shown by the uniform crime report on each individual region.

Of course, we're going to find more people and higher crime figures in the metropolitan areas of the State, and I certainly have no argument with these areas getting their share of Government assistance for law enforcement or other criminal justice projects. But I must say that they do receive a larger portion of available funds, based on the criteria used for distribution.

However, let me point out, again, that we on the United States and Mexican border do have a unique law enforcement problem.

I said earlier in my testimony that, although we only number about 90,000 people in Brownsville, it has not been taken into consideration that we have 50,000 tourists during several months of any given year. And in addition to that, we have 350,000 people across the river. Many come into our community for legitimate purposes, and many do not.

I must say that Federal, State, and local law enforcement agencies of the United States-Mexican border are the frontline units that are combating the evergrowing narcotics and dangerous drug smuggling into this State and into the entire country.

We must never forget that every ounce of heroin, every kilo of marijuana and pound of cocaine that comes through our defense at the border will eventually end up being used by some young man or woman somewhere in this country.

Therefore, it is imperative that the law enforcement agencies along the border are properly staffed and fully equipped to effectively address the menace that is so adversely impacting on our way of life.

I, as an individual, propose that we collectively must do four things:

No. 1, Federal financial assistance must be provided to more cities in order that communities can develop and implement a good narcotics enforcement program. These communities should consider the formulation of a regional task force, specifically programmed to target areas. The other local law enforcement can be effective as the officers will have full and complete knowledge of the people and the environment they will be working in. When an agency has limited resources to do a job, its effectiveness subsides accordingly.

No. 2, Federal agencies must consider assigning sufficient personnel and equipment to the border, instead of the metropolitan areas, to increase the effectiveness and substantially reduce the chances for narcotics traffickers getting through with their illicit cargo. Federal, State, and local agencies—in the same instance, the mutual cooperation between Federal, State, and local agencies is a must. Without cooperation between law enforcement agencies, we stand to lose the war against the narcotics traffickers.

No. 3, U.S. attorneys and State district attorneys must also be provided with additional personnel and financial resources in order for them to vigorously prosecute violators. This will assure arrest and timely prosecution of these matters.

And No. 4, narcotics and drug abuse programs should be developed at the elementary level in order that youngsters, at a very early age, begin to learn and understand the problem that they will be faced with should they, some day, be exposed to this type of activity.

I have provided you with copies of the narcotics enforcement statistics in this report for the last 2 years. I feel that the report is self-explanatory and provides you with an idea of what we have to deal with in our region.

In closing, I must reemphasize that one solution to our narcotics and drug abuse problem is to address it as closely to the source as possible. In order to do this, we need the necessary resources to carry out this mission. Plain, simple reasoning will dictate that keeping narcotics and dangerous drugs out of the country or minimizing their smuggling will prevent their distribution to our citizens.

I, then, ask you to take this matter under consideration.

We are prepared to do more in narcotics enforcement, but we do need assistance. Narcotics and drug abuse in our society affects all of us, either directly or indirectly. Federal assistance to the local agencies for the purpose of enforcing narcotics laws is simply another method of appropriating funds for the defense of this country's welfare.

[Chief Vega's prepared statement appears on p. 201.]

Mr. RANGEL. We thank the entire panel, and I assume that most of you were here to listen to the Federal panel this morning.

One of the concerns that we have is the degree of cooperation that local enforcement officers and officials have with the Federal EPIC.

Now, Mr. Vega, you went into great detail with some recommendations that appear to make a lot of sense to me as to what we should be doing.

Have you had the proper vehicle where you could share these recommendations with the Federal officials in the area, the law enforcement officials?

Mr. VEGA. Mr. Chairman, I—through the years, we have had excellent cooperation with Federal agencies in our area. We have had discussions, especially, with the Drug Enforcement Administration people in our jurisdiction. And the issues that have been brought before this panel today, or this committee, have been discussed with them. Possible ideas, solutions such as the ones that I have given you, have been discussed at our level. We have discussed these issues among local enforcement agencies.

Sometimes, the situation comes down to two things: We need the resources and manpower, and financial resources are not available.

Mr. RANGEL. Well, sometimes the questioning from the committee appears as though we're trying to get you to say there's a lack of cooperation. I'm assuming that there is always this cooperation with public officials that have to work together, but what we're trying to find out: Is there a systematic coordination of efforts? Is there intelligence sharing on the recommendations made? Do you develop strategy, and do you collectively come up with an agenda that you can present to the Congress?

Mr. VEGA. Well, in developing intelligence, Mr. Chairman, we share it with the Drug Enforcement Administration, and certainly, I'm confining my remarks to narcotics traffic here.

The development of this information, of course, it could be 4 or 5 or 10 different cases. And the information, as I understand it, is carried from Drug Enforcement from our area to their regional director, or whatever. And from there, apparently, it does go on to Washington.

Exactly how this thing is handled from there on out, I don't really rightly know.

But we try to work the information that we have, as best as possible, certainly with two people or the few people that are available. There's nothing much that you can do with it.

Mr. RANGEL. You state in your testimony, and accurately so, that this is a war, and what we're trying to do is see how we can provide the resources and the tools to give to those of you that are on the front line of this war.

It's always good and encouraging to hear the great successes that we're having, but if we have cooperation with the Mexican authorities, if we have cooperation with the local authorities, if we know that 30 percent of the heroin coming into the United States is coming in from Mexico, we know that most of it is coming by couriers and by automobiles, and if we know that, we should expect more to be coming.

And, yet, we realize that, at the crossing, because of Brownsville and the Mexican town where there's a joint economy, where there's a necessity of getting back across that border, there's very little that's being done.

And I'm not saying that I have any answers to that, but to believe that we have effective border monitoring, as relates to narcotics drugs, would be an understatement, wouldn't it, Chief Vega?

Mr. VEGA. I would say that the amount of seizures and amount of arrests that are being made are very minimal as compared to what is coming through.

And in further answering your question, my suggestion would be to increase the number of Federal officers that we currently have in our area and, by the same token, provide assistance to local agencies to increase our personnel, our resources, equipment, and funding in order to be able to mutually, Federal, State, and local agencies, combine their efforts and create a two- or three-pronged attack into this problem.

By this, I mean you need to get at the street pusher. You need to get at the intermediary. You need to get at the top level individuals that are funding the narcotics traffic.

Mr. RANGEL. But you don't find the Federal presence of law enforcement on your streets in Brownsville; do you?

Mr. VEGA. Not to my knowledge.

Mr. RANGEL. And you're saying that notwithstanding the Federal effort that you don't have the resources with your limited police department to do an effective job in terms of narcotics investigations and indictments.

Mr. VEGA. We're doing the best we can under the circumstances. But what I consider effective——

Mr. RANGEL. But you have a problem, and you've gone out of your way to point out that being a border town, your problems are increased. They're unique. You're right there, and everyone knows it's coming from a different country. You're not growing opium in Brownsville. It comes from the other side of the border.

Mr. VEGA. That's correct.

Mr. RANGEL. So, what we're hoping is that somehow your forces can get together and tell us the degree of cooperation you're having with the Federal Government and where you think the Federal Government can be more effective with the resources so that you can do a better job.

And I might ask whether Congressman Ortiz will be willing, on behalf of this committee, to have—not a hearing, but a conference with the local enforcement officials right here in this area, in the border area, to get together to eliminate this whose-on-which-side-of-the-table exchange and see what ideas you can come up with, what recommendations you've made to the Federal authorities, what have been accepted, and what have been rejected, and for what reasons, so that no matter which constituency we go back to that we can feel that government, whether it's local, State, or Federal, at least has tried to coordinate their efforts here.

I know you've talked about a lot of cooperation, but I don't know what strategy has come out of it as relates to the police chief, and the sheriffs, and the Customs, and DEA, and whether or not all of those taxpayers dollars are coming up with a comprehensive border program.

And that's what we hope that can come out of this.

Mr. Gilman.

Mr. GILMAN. Thank you, Mr. Chairman.

I want to welcome our local law enforcement people here today and to thank you for the good testimony.

I was particularly interested in a couple of comments that Sheriff Hickey made.

I note that you were talking about a reactivation of the Coastal Bend Major Crimes Task Force. Is that something that's been in existence for a while in the past?

Mr. HICKEY. Yes, sir, it was. I think it was originally started in about 1979 or 1980, perhaps even before that, by Sheriff Ortiz, now Congressman Ortiz.

It drew together some nine counties, I believe, at that time.

Mr. GILMAN. And has that been functioning over that period of time?

Mr. HICKEY. No; it has not. It somehow broke down over time. We have, not only got it started again, but it has grown to 13, and we hope it will go to 15, counties or more before we're finished.

Mr. GILMAN. And you're trying to work out some regional approaches, I take it, to the problem.

Mr. HICKEY. Yes.

Mr. GILMAN. And sharing of capability?

Mr. HICKEY. Sharing of capability and, you know, the resources that are available, which are few. Really, we do have manpower that's given us that capability. We do not have funds. And this would be one of the things that we would hope to receive some help. In the area of funding, as well as training.

And we will have a sharing of personnel where we can have undercover personnel brought in that we can trade out in the various areas, various counties.

Mr. GILMAN. Certainly sounds like a worthwhile undertaking.

Let me ask you: What sort of cooperation are you receiving from the Federal enforcement agencies in this region? And I address that to all of you.

Mr. HICKEY. I can speak for my department in this respect, and that is that we have always received help from DEA, for instance, which was principally charged with investigation of narcotics, and that we've never had any problem there.

I understand that, perhaps, there is a problem generally, and I think that that stems from, for instance DEA's inability to always, in every case, trust local law enforcement. They have, just as we have all found out, that not in every jurisdiction can you, at any given time, totally trust all of those agents that you are working with, perhaps because they are loose lipped or whatever.

And I think that wherever we have found that there is not cooperation with Federal agencies, it stems from that. I think that can be corrected by proper training, and I think that that training needs to come from DEA. And this is another thing that we would ask for.

Mr. GILMAN. Mr. Vega and Mr. Banner, how do you feel about the cooperation with your Federal law enforcement agencies?

Mr. BANNER. Our agency has always had very close cooperation with DEA. We have not had contact with the drug task force in Houston to this point.

Mr. GILMAN. They haven't contacted you at all?

Mr. BANNER. To my knowledge, we have not been contacted, other than informational information sent to us relative to its formation in the area, but we've had no personal contact, to my knowledge.

Mr. GILMAN. How long has that task force been in operation now?

Mr. BANNER. I heard since May. Didn't somebody say this morning?

Mr. GILMAN. Has the task force been in touch with you, Mr. Vega?

Mr. VEGA. No, sir.

Mr. GILMAN. And Mr. Hickey.

Mr. HICKEY. No, sir.

Mr. BANNER. We work very closely with DEA, as I stated. DEA has had a cutback of personnel, it's my understanding. We've only got four people here, I believe, now, a cutback from eight a couple of years ago. That concerns us.

A substantial portion of DEA's manpower time is spent on checkpoint cases, which gives them very little overlay to work with us. But they do work very closely with us and very cooperatively.

Mr. GILMAN. Mr. Vega, how has your response been with the Federal agencies? Are they working with you at all?

Mr. VEGA. Yes, sir; in the area of drug trafficking, of course, it's Drug Enforcement Administration, and they have. Since we've had the Organized Crime Task Force in operation over 10 years now, the cooperation has been very, very good.

We've also had good cooperation with the Alcohol, Tobacco and Firearms Division and, of course, the Federal Bureau of Investigation.

And as far as cooperation in that order, we've had it real good, and I don't have anything to say about that.

We have not had any contact with the drug task force, and maybe they have their own priorities. Maybe they're working on something. But to this point, we have not.

Mr. GILMAN. Is your major crimes task force that you fellows formed yourselves had an opportunity to meet with the Federal people? Have they expressed any interest in meeting with you? Have there been any meetings?

Mr. BANNER. There have been no communications with them, as far as I know.

Mr. HICKEY. Well, we have had, from the local agents, you know, with DEA, with Customs, Navy intelligence. We've had them all present. And they have——

Mr. GILMAN. You've invited them to come to your meetings.

Mr. HICKEY. Yes.

Mr. GILMAN. Have they invited you to come to any of their meetings on policy? Have they consulted with you on policy or strategy at all?

Mr. HICKEY. No; not formally. At times, on a casual basis; yes. But not formally, that I can recall.

I think, perhaps, as we're getting this thing kicked off, they're relying on these meetings to do that for them for exchange of ideas.

Mr. VEGA. I'd like to qualify what I just said while ago. The drug task force had a representative to come down to Brownsville, and they met with a number of agencies down there simply to explain to them that they were in operation. It's been several months ago.

But my answer to your question was whether they have contacted me in any particular given case, no.

Mr. GILMAN. Or asked your advice or your best judgment in how best to address some of these problems. There's been no consultation of that nature.

I'm interested, too, Sheriff Hickey, in your suggestion about a tax levy on seized inventory. That sounds like a very interesting proposition. I think it's something our committee might want to look into, particularly since our chairman sits on Ways and Means Committee and is in charge of taxes. And Congressman Hall is also, I think, part of that endeavor—I mean, Congressman Hance. I think we might want to take a look at some of those ideas.

As you know, we're engaged in some legislation at the present time with regard to forfeiture of all assets, including a home, of a narcotics trafficker. But I don't know if that includes the inventory or not. And it sounds like, certainly, a worthwhile proposal to look at further.

What sort of assistance is your task force getting at State level? Are they providing any assistance to you?

Mr. HICKEY. We do have, of course, the department of public safety. The department of public safety is involved in this and has always given support. We work a number of cases with them.

But as far as—well, in fact, there has even been—in some of our cases this year in my department, there have been funds available that have helped us.

And, in fact, we made the largest heroin buy that we have made in my department. Not by the police department, my department. It's been this year, which was over 7 ounces. And that was with assistance from the department of public safety.

Mr. GILMAN. Has the safety department provided any funds to your local agencies?

Mr. HICKEY. No, they haven't. Not to mine.

Mr. GILMAN. I'm reading some testimony here from the Texas Governor's office, and he's going to be testifying a little later in the hearing, and he winds it up saying:

> Development of strategies and techniques to control drug smuggling and trafficking in Texas, especially in the Texas gulf coast, where large percentage of controlled substances enter the State, is a major concern of Governor White and his administration. Funds available to the criminal justice division will continue to be prioritized to give maximum support to law enforcement agencies dedicated to the control of drug smuggling.

Has any of that funding come down?

Mr. BANNER. We have been supported through the block grant program, and our organized crime control unit and our narcotics task force unit. That support has been diminishing for the past couple or 3 years, but we have been consistently supported with some monies in those categories.

Mr. GILMAN. Some support, but going downhill.

Mr. BANNER. Yes, sir.

Mr. VEGA. Yes.

Mr. GILMAN. Despite the fact that trafficking is going uphill and accelerating; is that correct? In all of your areas, are you finding narcotics use and trafficking increasing?

Mr. HICKEY. Yes.

Mr. BANNER. We believe it's on the increase.

Mr. GILMAN. Thank you, Mr. Chairman.

Mr. RANGEL. Mr. Ortiz.

Mr. ORTIZ. Mr. Vega, you might be able to shed some light if you have the statistics. How many violations or crimes are committed by people from Mexico who come into the Brownsville area?

Mr. VEGA. Congressman, I don't have the, you know, the given statistics from the uniform crime report, as such, because we don't categorize them as being illegal aliens or whatever.

My estimation is that, for example, taking one particular offense, burglary, I can go as high as 40 percent of all the burglaries that are committed, are committed by illegal aliens.

Mr. ORTIZ. Forty percent.

Mr. VEGA. Yes, sir.

Mr. ORTIZ. At this point, you are fighting an international problem with local police officers and with local funds. Is that it?

Mr. VEGA. This is what it amounts to, really. The situation where we're having to deal with people coming in from Mexico with local funding and, certainly, you develop priorities as to what needs to be addressed first.

One of our major problems right now is burglaries, and we have complaining witnesses in these matters. Certainly, you have to address that, primarily.

When you look into the situation of narcotics trafficking, and, of course, you have two people agreeing to commit a crime in a situation where you don't have a witness. And it is a much, much harder case to develop.

So, what I'm saying is that we have to prioritize as to what we are going to address first. And certainly, this is a problem because we're having people coming in from Mexico. And I'm not saying that they are the ones to blame for our entire problems, but certainly, that is a contributing factor, right there.

Mr. ORTIZ. Let me ask you another question now. Do you have a task force in Brownsville or Cameron County. If so, who is assigned to it and how does it work?

Mr. VEGA. Our crime task force was originally composed of additional police officers of Cameron County, the city of Harlingen, and the city of Brownsville. At that time, we had about six officers assigned to it.

Since that time, the city of Harlingen has pulled out of the task force. The district attorney's office has also pulled out of the task force because of unavailability of funds for that purpose.

So, consequently, the only ones who are operating the unit now is the city of Brownsville.

The sheriff has expressed to us that he does not desire to participate of whatever reason, the funding probably.

So, consequently, we're sitting there by ourselves, and I don't rightly know whether we are going to be able to get additional funding this coming fiscal year, because one of the requirements is that it is a multiagency unit. So, if we apply for funds now this coming year as the city of Brownsville Organized Crime Task Force, it is possible that we may not get funding.

Mr. ORTIZ. What about when we're talking about intelligence information? Do you have that rapport at the Federal level with the DEA and Customs? Can you exchange information and workups? Have you done that in the past?

Mr. VEGA. That has been done in the past and has been very, very effective. And it's certainly one of the reasons that this has been, out of the cooperation that we've had with people. And I'm a firm believer that in order to effectively combat the narcotics traffic, you've got to have cooperation among the various agencies that are interested.

The flow of information has been of give and take, and we work cases together. I, for one, have never felt that because one of my men develops information and then carries it on and develops a case that we should have the case. I don't care who prosecutes, as long as we get prosecution. I don't care whether it's the State or the Federal Government, as long as we get somebody out of commission.

Mr. ORTIZ. What about these big cases? I guess I asked the same question of the Federal agencies. In preparing a case, when it gets to the point where you need to have some flash money or you need to have some buy money, are you financially able to put a dent into the big narcotics pushers with the amount of money that you might have at this point?

Mr. **Vega**. No, we don't. When we have to have flash money, we have to go to the Federal agencies. Usually, drug enforcement situations, when we could work cases on a buy-and-walk type operation, we do not have the funds to do that. So, we just don't take that approach.

Mr. **Ortiz**. But the Federal people make it available when you need it?

Mr. **Vega**. Yes, sir.

Mr. **Ortiz**. They do.

Mr. **Vega**. Now, I'll qualify that by saying that it's limited. Sometimes they have cases going, and sometimes we may have ours, and it depends on the situation. They may be able to help us out or not. Because they have their guidelines they have to follow, also.

Mr. **Ortiz**. Going back to my previous question, you mentioned burglaries as about 40 percent of the cases. How many are drug related? Any idea?

Mr. **Vega**. I don't think that I could answer that. As far as our intelligence is concerned, some of the residential burglaries, for example, the removal of firearms, electronic equipment, jewelry, that is something that is easily sold, and our intelligence sources indicate that this is going as a tradeoff for drugs.

Mr. **Ortiz**. Thank you, Mr. Chairman.

Mr. **Rangel**. Thank you.

Mr. Hall.

Mr. **Hall**. Thank you, Mr. Chairman.

You gentlemen have made it abundantly clear that the drug task force has not been in touch with you about any area of their domain. Have you tried to contact them to try to get worked into their program?

Mr. **Banner**. No, sir, I have not.

Mr. **Hickey**. No, I have not.

Mr. **Hall**. Now, we talked about the cooperation between the State and the Federal, and I think, by and large, it's good. And of course, I realize you three people are the front lines of this war, as you indicated. And that's certainly what it is.

We've heard testimony from many people in other countries, Colombia, Sweden, some in Mexico. They come telling us about the great efforts that they are making to try to stop this at the source, and then they tell us about the economic problems that these countries are having.

And I sometimes wonder if we are getting the cooperation from some of the countries that they indicate to us that they are giving to us.

Now, with reference to Mexico, and that's the one that's allied with you across the border, are you getting the cooperation from the Mexican officials that you need to try to dent this flow of traffic coming across the border?

I'll ask you, sheriff. You're closest to it. And then, I'll work back to Mr. Hickey.

Mr. **Vega**. As far as the cooperation in drug trafficking, it's very minimal. We have had, in the past, cases that have been referred to us from the Mexican authorities. I couldn't give you a figure as far as that is concerned.

On the other hand, we also have—diverting myself a little bit from the drug traffic, we have had a major problem in the area of stolen automobiles. At one time about 2 years ago, we were experiencing the theft of over 100 automobiles a month in Brownsville alone. That has subsided now to about 40 or 45 a month.

Now, the cooperation that was implemented as soon as the current administration took over—I'm talking about the mayor and the chief of police of the city of Matamoros—that changed considerably, because we used to take anywhere from 20 to 30 days to try to get a stolen vehicle back into the United States once it was recovered in Mexico. Since these people took over, we are getting them back within a matter of hours or a matter of 2 or 3 days.

Mr. **Hall**. Let's talk about narcotics.

Mr. **Vega**. Narcotics, very minimal information. Very minimal cooperation.

Mr. **Hall**. If you have information—and I'm giving you a situation here that calls for a certain amount of devil's advocacy on my part. If you have information that narcotics are coming into Brownsville in large quantities, and you have information to believe that you know where it's coming from across the border, can you contact the official in Mexico and alert that official, and will they do anything toward trying to apprehend that person?

Mr. **Vega**. I think so. I think that if we have the information exactly where it was coming from that it would be either the local, the State, or the Federal judicial police. I think we have cooperation, and I think he would go into that area and confiscate.

Mr. **Hall**. Now, when you say it's minimal, what do you mean by that? When you say that the cooperation you're getting from Mexico on drug trafficking is minimal, using your language, what do you mean by that?

Mr. **Vega**. I'm talking about information coming in from the Mexican authorities to us. Information concerning drug trafficking.

Mr. **Hall**. Do you have reason to believe that they may know of instances where drug trafficking is going on over and across the border into Texas and they don't tell you about it?

Mr. **Vega**. I would—I've got some suspicions, but that's about as much as I can say. I couldn't very well testify that, yes, this is——

Mr. **Hall**. I understand you're right across the border looking at these people every day, and I don't want to, in any way, hurt the situation that you have now. But I'm concerned greatly about this cooperation that they claim they're giving us. Frankly, I don't think they are. I may not eat with them tonight for this, but I might let them eat it first and I'll taste it later.

Chief, I'll ask the same question. How do you stand on that situation? Are we really getting the cooperation from Mexico that we need to have to try to put a dent in this?

Mr. **Banner**. I think good from the standpoint of a local-level cooperation—now, when you get to the higher echelons of the Federal agencies that have agents in Mexico and have established personal contact, it may be a different thing. But from the standpoint of a local cooperation with the people across the river, in this regard, I think it's practically nonexistent, except for specific, narrowly defined sorts of cases.

Congressman Ortiz and I went to Mexico and established what we felt was a very good contact with the Attorney General of Mexico, and subsequent to that visit, we felt that in specific cases we could call this gentleman and get information that was solid and that our request would not go anywhere else.

But these are unusual situations. And on the whole, I think the cooperation, working cooperation, between the local and State people with their counterparts across the river is rather dismal in looking at history.

If I could put a caveat on Chief Vega's response about being able to call an individual across the river and if you gave that person information about where some narcotics was, I expect we could do that. I would expect, certainly, that Chief Vega would have connections across the river that would tell him who he could call to get that done.

I would not have that kind of optimism about making a call across the river to someone who I did not know personally.

Mr. HICKEY. Along these lines, I can only speak from hearsay, but I have numerous contacts in Mexico, relatives, in fact, in a mountainous region of Mexico where a great deal of the poppy is grown and in the valleys where the marijuana is grown. I have friends there who are businessmen who know what's going on in Mexico, and they say that the drug eradication—U.S.-sponsored drug eradication program was something that was always a farce, that it was for the benefit of the generals of Mexico who administered the program locally, and that they would do so for—they would put on a show of support and assistance and actually go out and destroy many, many acres of marijuana and poppies. But there were areas that were, perhaps, not visited then.

Mr. HALL. Well, do you believe, all of you believe, that we must have the cooperation of Mexico to help solve this problem?

Mr. HICKEY. I think so. I think we must. And I'm not quite sure how that is to be gained.

And I'm not—you know, when you have individuals there that may be engaging in these practices of putting on a show so as to get this. And I personally believe it, although I can't prove that that exists.

I think there's something much, you know, much deeper under all of this.

And this was expressed some years ago in an interview that I saw on "20/20" or one of those shows, and it was about the drug eradication program. They interviewed the Attorney General of Mexico, who, I felt was sincere in what he was saying. And he summed it all up and he said, "If you Americans didn't use dope, our criminals would not grow it."

And I think that that is probably the root of the thing, that somehow we have to get back to what we were 30 or 40 years ago, and that is have people who did not believe in it.

Mr. HALL. Well, I agree. There's no question about that.

But getting down to the practicalities of what's going on today, yes, I agree with everything you have in your statement. I think it's a fine statement.

But I'm just not sold, yet, on these bleeding hearts coming to us from these other countries telling us that we're working with you every way we can.

I think what you say about the eradication program, to an extent, has been an absolute farce. I think they've done it for purposes of making it appear that they're working with us much, much closer than they really are.

My final question is this: All of your testimony gets down to the bottom line, you need more money and you need more personnel. And I think that's what we've heard prior to your testimony.

Do you need more personnel locally, or do you need more personnel from the Federal level helping you locally? Where do you need the personnel?

Mr. VEGA. Both sides.

Mr. HICKEY. I think, perhaps, both, but more heavily on the Federal help because of their jurisdictional considerations.

Mr. HALL. How many people, DEA people, do you have, Chief, in Corpus Christi now working with you?

Mr. BANNER. I believe there are four, a supervisor and three.

Mr. HALL. And how many customs people?

Mr. BANNER. I don't know how many customs people there are.

Mr. HALL. And Immigration?

Mr. BANNER. I don't know. I can get that information, but I don't have it at my fingertips.

Mr. HALL. Sheriff Hickey, how many customs people do you know?

Mr. HICKEY. Offhand, I don't.

Mr. HALL. Or Immigration?

Mr. HICKEY. There again, I think it's very sparse.

Mr. HALL. And four on DEA.

Mr. HICKEY. Four.

Mr. HALL. What about down in Brownsville?

Mr. VEGA. I think they've got six people in Brownsville.

Mr. HALL. DEA?

Mr. VEGA. Drug Enforcement, yes.

Mr. HALL. And what about Customs?

Mr. VEGA. I have no idea.

Mr. HALL. Immigration?

Mr. VEGA. I have no idea.

Mr. HALL. Well, now, to me, that's something you people should know. Why don't you know how many customs people are working in Corpus Christi and in Brownsville?

Yes, sir.

Mr. BANNER. Well, unlike the previous people who testified, the parameters of our responsibilities are very small. Anything that occurs within the city limits of Corpus Christi is my responsibility.

Mr. HALL. I understand and appreciate that. And nothing occurs here relative to narcotics that doesn't begin or transpire somewhere else, part of it.

Mr. BANNER. And our manpower situation from the standpoint of people in Corpus Christi available work on a case. They are all in our police department, we have a very supportive council. They respond to our requests for manpower.

Our requests for manpower and our manpower in the city of Corpus Christi does little to address the overall problem that we've been speaking to here today.

Mr. **Hall**. Well, suppose you know that within the city limits of Corpus Christi you have someone who is conducting—first, he's here illegally, and that person is conducting a smuggling operation on narcotics.

Doesn't that come under your jurisdiction?

Mr. **Banner**. Yes, sir, it sure does.

Mr. **Hall**. Well, when you find out that, don't you determine that you should contact DEA or Customs and Immigration?

Mr. **Banner**. We do that routinely, sir.

Mr. **Hall**. Well, how do you do it when you don't know how many you have here? Why don't they let you know who's here?

Mr. **Banner**. Well, I know how many DEA people we have here, and I probably should know how many customs people we have here. I do not.

Mr. **Hall**. Do you have any?

Mr. **Banner**. Oh, yes, we do.

Mr. **Hall**. Does anybody know how many customs people we've got in Corpus Christi?

Mr. **Hickey**. I think there may be three or four, at the most.

Mr. **Hall**. And how many immigration people? Does anybody know?

Mr. **Banner**. No special agents for Immigration, I'm told by my lieutenant.

Mr. **Hall**. No immigration people in Corpus Christi.

Mr. **Banner**. No special agent immigration people. Just patrol officers here in Corpus Christi.

Mr. **Hall**. But no special agents.

Mr. **Banner**. No special agents.

Mr. **Hall**. And how far are you from the border?

Mr. **Banner**. A hundred and forty miles.

Mr. **Hall**. How many illegal aliens do you have in Corpus Christi, Nueces County today?

Mr. **Banner**. I have no idea.

Mr. **Hall**. Nobody else does either, do they?

Mr. **Hickey**. No.

Mr. **Hall**. I yield back the balance of my time.

Mr. **Rangel**. Don't you think with the limited resource that it might be helpful if you all got together and had some type of task force?

Even, Chief Vega, you indicate that some of the localities may not even be able to support a contribution to it, at the very least, you could come to your Federal Government and say: We can't even afford to get together to exchange our problem and our resources and identify what we have to work with.

Do you think it would be helpful if the chief of police and the sheriffs from the border towns that share these mutual problems could get together and evaluate what you need?

Mr. **Banner**. I think it would be extremely helpful.

Mr. RANGEL. Now, it's been my understanding that in Laredo that they have put together a city, county, and State and Federal task force. Is anyone familiar with it? Does it work? Or have you heard of it?

Mr. BANNER. Sure, I've heard of it.

Mr. HICKEY. I've heard that they are having some success with it, too.

Mr. RANGEL. Well, we don't want to come and point out the problems which you know you have. What we'd like to do is to leave with some feeling that we're going to try to provide some answers for you or to make some resources available.

We cannot do it with the high level of cooperation that you have, both with the Mexican Government and with the Federal officials, because with that, you don't need us.

But I get the impression that cooperation means that they talk with you from time to time, and that's OK, since you probably have not been enjoying too much of that.

In any event, what we'd like to do is see whether or not you can coordinate your efforts, see whether or not you can prepare a list of some of the things that you would like to share with your counterparts in the Federal Government to allow our member and the Congressman from this area to coordinate that effort so that we can, on your behalf, not diminish the cooperation that you're having with the Federal officials, but in a congressional way present some of these things on your behalf.

Certainly, we may not have to do it individually, which would help. If we could do it collectively, as to what resources you need.

Finally, I'd like to say that it's been my understanding that we do know some of the Mexicans that are involved in drug smuggling, and it's been our information that arrests on the other side of the border have decreased, notwithstanding the increase in cooperation.

Now, I've asked this question several times this morning, Chief Vega, and people agree that we have more cooperation and less arrests. Does it make any sense to you?

Mr. VEGA. Well, it does to an extent, Mr. Chairman. I feel that, you know, in answer to your proposal there that getting together is, perhaps, a beginning. I think we're coming down to the nuts and bolts of this thing, and that's—for example, I have discussed with our sheriff in Cameron County the possibility of helping us with one or two people to keep the task force going.

His response is that he does not have the personnel, he does not have the funding. The work load, as far as serving the subpoenaes and the things that his deputies have to do as far as responsibilities are concerned, are to the extent that the amount of people that he has to serve his matters that he just can't do it.

So, consequently, you're going back to prioritizing. Now, our situation is that does additional funding help? I think we're getting down to that.

Mr. RANGEL. Well, the thing is that I think there has been a communication problem because, while all of you have the height of cooperation, you don't have the resources and the Federal Government's not providing it.

Am I wrong?

Mr. **Hickey**. That's correct.

Mr. **Rangel**. I mean, everybody has cooperation, but the fact is the job is not being done, and if you can't go out and make investigation, make buys, and arrest people, and if you can't reliably go to DEA and say that XYZ is on the other side of the border and they're coming here, or some of our people are going there, and we want to have a coordinated investigation and arrest, and produce bodies instead of just diplomacy, it's not working.

And Chief Vega, you know, we got in a little trouble with Customs, but I think we cleared it up. That border thing, what do you call that checkpoint that you have in Brownsville on the other side, your sister city?

Mr. **Vega**. Matamoros?

Mr. **Rangel**. Yes, the checkpoint.

As long as you're going to enjoy an economic exchange of people crossing that border and as long as DEA knows that the majority of drugs are crossing the border by personnel or by vehicle, it seems to me that that whole structure, the way it's set up, is an unworkable situation.

I mean, it's impossible to have people going back and forth to work across that border if you're going to have any type of a check on drugs as crossing the border. And I think the sooner we admit that we can't check and, at the same time, have people cross the border that the easier we can come up with some type of solution to see whether or not we can produce an easier way and a more effective way to have people to cross and vehicles to cross and, at the same time, at least give the idea that there's some type of narcotic check.

But it appears to me that if you check for narcotics at that point at Brownsville, it's a half-hour wait without a check.

Mr. **Vega**. Well, I couldn't answer that.

Mr. **Rangel**. But someone has to be able, perhaps

I think his unique background in law enforcement is a great talent that we need on the committee, but should it improve the communication between those of you who have the same experiences as the Congressman in bringing it to us.

So, I thank you for coming, and we look forward to meeting with you.

Could you tell me, Sheriff Hickey, how many arrests you had this year? Narcotic arrests?

Mr. **Hickey**. We've had about 25. In the neighborhood of 25.

Mr. **Rangel**. In the year?

Mr. **Hickey**. In the year, to date.

Mr. **Rangel**. And your overall arrests, what percentage of your overall criminal arrests would that be?

Mr. **Hickey**. Oh, very slight. Very slight. Perhaps, less than 1 percent, surely.

Mr. **Rangel**. Why would that be?

Mr. **Hickey**. Well, at any given time, of course, we have cases pending, buy cases, where we haven't had indictments yet. We may have another 25, for instance.

Even so, we're looking at a very small percentage of overall arrests made by the department. A fraction of 1 percent.

Mr. RANGEL. Now, for the potential criminal, it's safe to say that they could sell drugs in Corpus Christi without fear of being arrested.

Mr. HICKEY. Almost with impunity. That's true.

We don't have the resources. We don't have the resources. We don't have the manpower. We don't have the training. We don't have the educational programs that is going to prevent people from even getting into it. We don't have——

Mr. RANGEL. Why aren't you screaming with outrage as to what your government is not doing to help you? I mean, you can't possibly feel proud, as a sheriff—and I say this as a former Federal prosecutor—to know that the criminal element, the scum of society, has just thumbed its nose up at you and your office.

Mr. HICKEY. This is true. And I'm afraid that it is the mood of too large a segment of society that is turning its back to the whole problem. That there is not, as I urged, the disapproval, but the tacit approval, of drug use. And I think that's what we need to turn around.

Mr. RANGEL. Well, I'd just like to say tacit approval is one thing, but giving a guy 10 or 15 years for breaking the law is something else.

Mr. GILMAN. I thank the chairman for yielding.

Sheriff Hickey, what percentage of your personnel devotes their time and attention to the narcotics problem?

Mr. HICKEY. This year, it has varied between 3 and 4 out of a total of 148.

Mr. GILMAN. Three or four men out of a total of 148 are your narcotics team?

Mr. HICKEY. That is the full time——

Mr. GILMAN. Well, what percentage of your crime is narcotics related?

Mr. HICKEY. Fifty percent.

Mr. GILMAN. Well, then, why is there such a low number of personnel devoted to this program?

Mr. HICKEY. Because under Texas statutes, and most States are this way, there are certain things that are prescribed that a sheriff must do. He must serve civil process. He must run a jail.

I've got half of my total personnel running a jail because we must comply with Texas jail standards, and if we didn't have the Texas Jail Commission, the Federal courts would be all over us. And so, we've got that fear that we have to comply there.

We cannot, you know—as Sheriff Ortiz always used to say, "I'd rather have the 70-odd people that are working the jail on the street, and the 25 patrolmen working the jail." And I hold that same view.

We've got the constitutional——

Mr. GILMAN. To what body do you have to appeal for your budget?

Mr. HICKEY. To the Commissioner's court.

Mr. GILMAN. And have you made a request for additional personnel to go out on the street to handle the narcotics problem?

Mr. HICKEY. This we have, yes. And this is not something that we typically find them amenable to.

Mr. GILMAN. You mean, there wouldn't be the community support for increasing the personnel from, it sounds like, 3 percent of your total personnel to handle 50 percent of the crime?

Mr. HICKEY. Well, sadly enough, budget constraints and the economy being what it is, there's very little chance of getting increased personnel during certain times because of political considerations.

And we have—we've grown quite a lot in the last 6 years in this department, but we have quite a ways to go.

And there again, I think it's a matter of public perception, and, therefore, the representatives of those constituents in the public that, perhaps, this is not all that great a problem right now.

Mr. GILMAN. Mr. Banner and Mr. Vega, are you confronted with the same type of a problem with limited number of personnel to handle a major portion of the crime?

Mr. BANNER. Well, I have 349 sworn people. I have 20 people, generally, assigned to our narcotics problem. Our arrests this year were down somewhat. We had something over 1,300 arrests for narcotics of all kinds down from 1,600 last year. Now, that's 7 percent or so of our total number of arrests, which were 18,000—17,000 arrests last year.

I have the authority to assign whatever manpower I feel is justifiable to whatever job I feel needs to be done.

Mr. GILMAN. And Mr. Vega?

Mr. VEGA. Mr. Gilman, as I mentioned earlier, our main concentration of narcotics, of course, is based on the people that we have assigned to the organized crime unit.

Now, they have various——

Mr. GILMAN. How many do you have assigned?

Mr. VEGA. Three.

Mr. GILMAN. Out of how many?

Mr. VEGA. Out of the total number of officers that I've got, 112.

Mr. GILMAN. And what percentage of your crime is narcotics related to?

Mr. VEGA. It's hard to tell. I couldn't give you figures, as far as narcotics——

Mr. GILMAN. Well, what would you estimate?

Mr. VEGA. I would say that, probably, 25, 30 percent, something like that.

Mr. GILMAN. What I'm hearing from all three of you gentlemen is that a major portion of your crime is narcotics related, but a minimal amount of your personnel has been assigned to handle this problem. Six percent, 3 percent, ranging in that 3 to 6 percent.

Mr. BANNER. I don't know percentage of my total crime is narcotics related. I don't have that information.

Mr. GILMAN. Well, statistically, across the country, I guess, it runs on a means of about, at least, 50 percent if not more. Some areas we find it substantially more.

Mr. BANNER. I think that depends on whether you're talking to the head of your CIB or your narcotics unit.

Mr. GILMAN. Would you think you were very far off if you said somewhere from 30 to 50 percent is narcotics related?

Mr. BANNER. Probably somewhere between 30 and 50.

Mr. **Gilman**. And you're not allocating that amount of your manpower to the problem. You're much—a minimal amount of your manpower is being devoted to it.

Is there something that we're doing wrong in that direction?

Mr. **Vega**. My estimation, Mr. Gilman, is this, that in assigning the officers, you have a unique situation when you assign, say, 15 or 20 men to the enforcement of narcotics laws. Because this type of an investigation may take days, even months before you can make an arrest.

Mr. **Gilman**. A very specialized form of investigation.

Mr. **Vega**. Precisely.

But what am I going to do if I assign 20 or 30 men from the police department to enforce narcotics laws and a high incidence of burglary, high incidence of theft.

Mr. **Gilman**. Isn't a lot of that burglary narcotics related burglary and robbery? That's what we're finding in other police enforcement areas.

Mr. **Vega**. This is what the national statistics show. But the thing of it is, when you have a robbery, you've got a complainant for it that needs to be talked to. A case may be made. You've got to assign people to investigate that situation. You may have two or three arrests. You need case preparation, you need witnesses, you need all these people to go to court. This is the thing that we are faced with.

It's not a matter of assigning people and saying: You're going to be assigned to narcotics enforcement, and this is all you are going to do.

We wish we could do that, but it's impossible.

Mr. **Rangel**. Chief, I think what all three of you are saying is that enforcement of the narcotics laws is a luxury that, politically, you cannot enjoy.

You're basically saying that narcotics investigations are long, are thankless, and they don't make the newspapers.

When your citizens tell you about a burglary, a robbery, a mugging, you have to respond immediately. You can't tell them that a large number of your men are undercover or are trying to break some big case.

But I think if you got together privately, you'd be able to say that a lot of the crimes that you are forced to respond to are caused because of these narcotics transactions that are taking place within your jurisdiction.

Somehow, we're going to have to get that information together, because there is no question that undercover work in narcotics is a long, drawn out, thankless, and expensive proposition. And it could very well be that you could not make the decision to allocate your men based on the type of crimes that you have in that city.

But somebody is going to have to address it. In the sixties and seventies, you could say the Federal agents were doing it, but they're not doing it now.

And notwithstanding the cooperation that you have, if people are dealing in the trafficking and the selling and the buying in your jurisdictions, we'll have to provide the vehicle where you can share that information with us in a very official manner, because it's a very serious national problem. And the fact that you're located close to the border makes it even that much more important to us.

Mr. ORTIZ. Mr. Chairman.

Mr. RANGEL. Mr. Ortiz.

Mr. ORTIZ. I feel that, as public officials, we all have a responsibility. We cannot sit idle. We need to go out and try to mold public opinion to our support.

The taxpayers, at this point, are already paying huge sums of money on the items that they lose in burglaries, robberies—I could go on and on.

But I feel that we need more public awareness of the seriousness of the problem that we have and we need public support.

And I feel sorry for you because I was once in the same position. When I took over the office of we didn't have a single narcotics investigator in the office. I was able to get more manpower.

But we cannot sit idle. We have a responsibility to go out and to get public support at any expense.

This is a very, very serious cancer eating at our society, at our young people at all levels.

And I appreciate you all taking the time to be with us today and testifying; I can understand your problem because I've been there. You have to contemplate trying to find a solution to a problem that is not a local problem but is an international problem having to do with people across the border.

And I know how it is because I used to sit where you are sitting today and had to look at reelection and look at getting appointed.

I feel that our responsibility goes beyond that, and I compliment you for being with us today.

Mr. RANGEL. I would conclude by thanking you and saying that the public opinion that the Congressman says that you have to go out and get, we want to go out with you to get it. We want to be able to say that as a result of the information that you've pulled together, the coordination with Congressman Ortiz, that we're convinced that one of the things we have to do to fight this battle and look like we want to win it is to give you more resources, either by a better sharing of the resources with the Federal Government or some special task force, as the Congressman has indicated, where you find the communities right on the borders of the problem.

So, we want to thank you collectively, and we hope to be hearing from Congressman Ortiz soon.

And as I said earlier, if there's anything that you want to include in the record, I'm going to leave the record open for that purpose so that you can go back to your staffs and bring information that you may not have had today.

Thank you very much.

The committee is going to adjourn until 2:20. Because of the testimony and the interest in questioning, we've passed our lunch hour; so if we cut that short, we can come back at 2:20 and resume the hearing.

[Whereupon, at 1:55 p.m., the committee recessed, to reconvene at 2:20 p.m., the same day.]

AFTERNOON SESSION

Mr. Rangel. The committee will resume its hearings.

We have a panel here. We have Miss Meadows, the executive director of the Corpus Christi Drug Abuse Panel.

Next to Miss Meadows, Dr. Maria Luisa Garza, Gulf Coast—National Council of La Raza.

Mr. Robert Warren. Good to see you again. The director of the Palmer Drug Abuse Program in Brownsville.

Mr. David Pollard from the Kleberg County Alcoholism Office. We thank you for coming.

And Mr. Richard Salwen, counselor, Texas War Against Drugs.

Suppose we start with Dr. Garza.

I hope some of you had an opportunity to hear the testimony this morning.

And in order to accommodate all of the witnesses, what we'll do is resort to the 5-minute rule.

So, I would ask you to allow us to put your entire written and prepared testimony into the record and to highlight that testimony, so that we will be able to hear the full panel and still go to Brownsville where we are meeting with some Mexican officials.

Dr. Garza.

TESTIMONY OF DR. MARIA LUISA GARZA, GULF COAST—NATIONAL COUNCIL OF LA RAZA, CORPUS CHRISTI, TX

Dr. Garza. Thank you, Mr. Rangel [Spanish pronunciation]. If I may, I will call you Mr. Rangel, because that it is the way we south Texans pronounce your name.

First of all, I would like to thank you, Mr. Rangel, for giving me the opportunity to be here before this panel and to be heard about the concerns that we have in south Texas and all over our Nation in regard to drug abuse.

To our Congressman, Solomon Ortiz, I thank you for allowing me to do this service to the community.

And to the members of the panel, thank you very much.

The latest national survey shows that 60 percent of teenagers have experimented with drugs, including marijuana, amphetamines, and barbiturates. And even a larger percent have been experimenting with alcohol.

There is no doubt that we are doing something about it, but that to really have an effect, we have not shown to have been using the skills and the talents that we need to utilize.

The problem of drug abuse has increased, and that is a documented fact, among teenagers.

The problem of treatment and the high recidivism rate is also one problem that I would like to touch on today.

Apparently, our youngsters are under tremendous pressure and are trying to find some type of relief for that pressure. We have been trying to check the problem by reacting to a crisis level situation. We are a society that usually reacts when something erupts on a crisis level.

I feel that the problem of drug abuse is not going to be corrected by intimidation techniques, by expulsions from the school district, by the strict rules that we have too many of already, or by continuing our punishment techniques that we have for our youngsters.

For too long, we have done this, and the problem has increased, rather than decreased.

A drug abuse prevention program is one that has all those activities that act as an intervention network to inform, educate, guide, protect, and to stop youngsters from ever becoming involved in drug abuse.

The propensity and inclination to use drugs transcends all ethnic, economic, sexual, educational, and social backgrounds. Young people from the barrio, specifically, and from the ghetto, from the middle class, and from the jet set groups have been, and are, experimenting with drugs with frightening consistency.

The response from the public toward drug abuse has not been unlike the general response to other potential problems facing youth. On the part of the parents, assuming that it's not their children who are involved with drugs, it's always somebody else. When the situation occurs, the parents do not know what to do about it. They do not know where to go, especially those parents that come from an economically depressed area. They have no recourse, because they have no money, no education, and no information as to what to do. They cannot ask for assistance from the schools, because that would be an automatic expulsion for the youth.

Therefore, I feel that a drug prevention program that is away from the schools, located in a community-based organization that is of nonthreatening situation can make a real impact in the intervention and education of drug abuse.

Drug abuse prevention programs need the support of the community, the schools, the businesses, and the legislators.

Drug prevention programs need to be strengthened financially, not at the expense of curtailing treatment and rehabilitation programs, but as a priority measure to divert many youngsters from ever having to join a treatment and rehabilitation program.

Our entire society needs to become educated in the tremendous value of prevention. A prevention program brings everybody a tremendous relief in terms of savings of tax dollars, not to mention the savings of pain and the horrible destruction that drug addiction brings to individuals and to entire families.

School districts, in particular, need to become more accepting and more cognizant of the psychological impact that a specialist from the drug prevention program can make in their school population. School districts need to become more cooperative with community-based organizations that specialize in drug prevention assistance and education.

For the past 3 years, we at the Gulf Coast Council of La Raza have offered a drug prevention program to this community and surrounding areas. We have found that the people we service are those that are dropouts from school districts, those that—a greater percentage are on probation because they've already committed a crime to sustain their life style. And they have found no help in terms of prevention, in terms of counseling, in terms of education, in terms of real impact that one can make in the family.

Given this program, a comprehensive approach, to talk to every member of the family, every child that exists and that can be exposed to the problem. Schools are not able to reach into the homes in a comprehensive manner, as community-based organizations can.

Community-based organizations are located in the heart of the problem, in the barrio. We are constantly in touch with those who need help, those who suffer, those who need the assistance of a CBO, community-based organization.

The CBO's are better able to deal——

Mr. **Rangel**. Excuse me just a minute. I'm sorry to interrupt.

But we do have listed the fine services that are offered by the council. Why don't we get to the recommendations that you'd like to make so that we can hear the rest of the panel.

Dr. **Garza**. Thank you, sir.

The recommendations are as follows:

Appropriate sufficient financial support for the implementation of drug prevention programs that deal directly with the potential users and deliver direct services to families, community groups, and other agencies.

Allow community-based organizations to implement programs of drug prevention and delivery services directly to the participants, potential users, families, classrooms, and other groups. Community-based organizations are the only other institutions that can work with the youngsters school districts cannot retain.

Drug prevention programs must involve the entire community and the entire family, placing emphasis in drug education at a very early age.

Drug abuse prevention programs need stronger financial support to provide a more intensive and a more extensive service in preventing youngsters from ever entering a drug treatment and rehabilitation program. The recidivism rate of treatment and rehabilitation programs is very high to ignore the prevention aspect of drug abuse.

We need to raise the level of awareness concerning the benefits of prevention, rather than acting under crisis, by holding more meetings in the local communities and allowing the parents, the educators, the social workers, and the legislators to participate in these programs.

Mr. **Rangel**. Thank you so much, Dr. Garza.

[The prepared statement of Dr. Garza appears on p. 207.]

Mr. **Rangel**. Mr. Warren, we have the report from Mrs. Lenora Rentfro, the chairperson of the board of trustees of the Palmer Drug Abuse Program in Brownsville.

We also have your report as the executive director of that program, and we have read it.

We hope that you could summarize and highlight it for us.

Mr. **Warren**. OK. I'll try to be short.

TESTIMONY OF ROBERT WARREN, EXECUTIVE DIRECTOR, PALMER DRUG ABUSE PROGRAM, BROWNSVILLE, TX

Mr. **Warren**. I would first thank you for having me here today. I appreciate the opportunity to share some opinions and ideas for what I see are needs in the valley.

I'll try to be brief.

The first thing that I would like to address is: What is the problem?

In my experience as a drug abuse counselor and as a drug abuser, I have lived all over Texas, Dallas, Houston, San Antonio, Midland. I've lived in Colorado. And never before, have I been confronted with the accessibility, ease of accessibility, that we're finding in the valley.

I have teenagers in my group, I'd say almost 90 percent of these kids, age ranging from 12 to 25, that were using prescription drugs from Mexico through them acquiring them. Not through drug dealers, but through going to Mexico and going to the farmacia, going to doctors and obtaining prescriptions.

It's very frightening to me as a counselor to work with kids that have had such an easy time of getting drugs. And it's very frightening. And this was documented.

A local newswoman in the valley documented what happened. She had a young person go into the doctor and actually get a pharmacy for a feigned illness, a fake illness, and go and get drugs, get narcotics, and bring them back across the border.

This was sort of scary to me because it was so easy that a news reporter could actually photograph the whole thing and publish it on the air.

From this, we're finding a great need in the valley, a large, large percentage which I would believe would be above the national statistics, as far as people affected. And for every one of these people affected in the valley, there are also other people. There are the families, and these families are greatly, greatly affected. The guilt, the anger, the frustration, and the fear that parents feel, it's very hard for them to deal with. And the social implications. They fear they feel of even they don't know where to go. Their friends tend to ostracize them saying, "Oh, well, they're bad parents." The mythology around drug abuse in the valley is quite apparent from talking to any parent and their antiquated views of drug abuse being heroin addiction.

This kind of information that we run into is pretty scary to me as a counselor. Brochures cost $5 a piece.

One of my recommendations to this committee would be to question why the cost of these publications is so high, why we can't get prevention literature free or at cost of printing. It does not cost $5 to print a five-page brochure that is 2 inches wide by 7 inches tall. That would be one of my recommendations which I didn't outline very well in my report to you.

I would also recommend to this committee to look into endorsing some of the associations for professionalism in the field of alcohol and drug abuse. Some of the associations are not even legislatively endorsed in the area.

I would also recommend that this committee look into the redtape involved with private industry opening a treatment facility that is cost effective and available to the general public. Due to the redtape and the time required to open a facility, it's pretty impossible to achieve a certificate of need and then to set it up according to the standards that this State operates on. It is quite, quite hard to open any kind of freestanding, inpatient treatment facility.

I would also recommend that this committee look at necessary legislation to provide prevention education funds stringfree, other than auditing for fiscal responsibility. We found that just to apply for some of these funds that are available now would take a full-time person working. We don't have the funds to hire somebody just to apply for grants.

Most important, I would recommend to this committee to review the current system of treatment in MHMR. We found it burdensome. We found it ineffective. On quite a few occasions we can document, we referred clients to MHMR, and these clients were turned down due to medical reasons, MHMR either not having the funds necessary to treat them medically or something.

But it's real hard when you take a heroin addict to a treatment facility, and that treatment facility says we can't work with you because you have a urinary infection.

Mr. **Rangel**. What's MHMR?

Mr. **Warren**. It's the mental health/mental retardation agency in——

Mr. **Rangel**. Is that State?

Mr. **Warren**. Yes.

Mr. **Rangel**. Well, who is your State representative?

Mr. **Warren**. I'm not sure.

Mr. **Rangel**. That's the problem.

Mr. **Warren**. That's the problem.

Mr. **Rangel**. That's the problem, but go ahead.

Mr. **Warren**. In this State, we also have some antiquated views, in my opinion, of alcohol and drug abuse being two different kinds of problem. They are basically the same problem. And treatment and education efforts, in my opinion, should be geared basically the same for both. And I have outlined that in my report.

I appreciate being here today and thank you.

Mr. **Rangel**. Thank you, Mr. Warren.

[The prepared statement of Mr. Warren appears on p. 211.]

Mr. **Rangel**. We have Mr. David Pollard from the Kleberg County Alcoholism Office in Kingsville, TX.

Thank you for being with us.

TESTIMONY OF DAVID M. POLLARD, COUNSELOR, KLEBERG COUNTY ALCOHOLISM OFFICE, KINGSVILLE, TX

Mr. **Pollard**. Thank you very much, Mr. Rangel and other members of the panel, for having me here.

I think there's a big gap in the drug prevention in the State. Basically, if you go into the State hospital is mainly your treatment for alcoholism and your detox. If you don't live in one of the cities, you can't hardly get any treatment. It takes 2 or 3 weeks to get people into treatment.

Then, a lot of times they won't go into treatment, because very few people who come in try to get detoxed or care or anything unless it's a real bad catastrophe. Then, by the time that's over, we just can't get anybody in for treatment. They're gone. And a lot of the people just aren't getting any treatment.

Most of the treatment for alcoholism is barely just a drop in the bucket for alcoholism.

I've been working in a treatment center for 5 years now, and I've been a year and a half in Kingsville, which is about a 30,000 population, 45 miles down the road.

I've experienced, like, having 200 or 300 people on a caseload, instead of 20, and trying to get things started in the community.

I'm a whole lot for people going into counties that don't have anything in the school systems and trying to coordinate things with the legal system and the jails and the sheriffs and the schools and trying to get something started with volunteer efforts and community efforts. There needs to be people going through the counties. Like that is the only way you can get anything done.

What I've found out is that in the junior highs, it used to be going from the college and the high school and all, and now when I start going into the classrooms and start talking to the junior kids about drugs, a lot of them, instead of just smoking marijuana and drinking, now they're on yellows and pills, prescriptions, things. And a pretty high percentage of the classrooms that you're getting this. It's real obvious, and they'll talk to you about it.

Now it's going, like, from eighth graders to sixth graders. And here in Corpus, I think it was, like, four kids that were on heroin that reported to the methadone clinic for help. And one little girl asked them, and she was in second grade on amphetamines. So, now, it's getting to where, you know, the elementary school kids are actually abusing drugs themselves on a pretty high level.

But basically, you know, from their own brothers and sisters, it's getting down into that level.

From what I know about—I have a master's, and I'm working on a doctorate. And I've been in treatment for about 8 years trying to figure out what to do. And I think that, you know, you have to treat the family. And, like, if you can find out which of the little kids——

It's almost like a losing battle with the older people. And if you can do some prevention things, to me, it's another form of treatment with the elementary school level kids. If you can get their families, somehow, to come in, usually there's either—not putting the responsibility on the parents, but a lot of times, if you could work with the parents, too, you have a chance of treating the younger children.

Most of these kids are just kind of unidentified. They had the program, like, "Children Are People, Too." I think what's going on, a lot of the children in that age span are under a lot of pressure, and nobody realizes what's happening to them. They're kind of overlooked. Adults that get on drugs, it's the same thing.

What happens with my problem is I'm identified and it's hard to get them in, anyway, to see me. And their families won't bring them in. And I just kind of get everything stirred up, and it's hard to keep getting further treatment for the elementary school aged kids to see what's going on.

I think, you know, the best bet would be to try to start treating these kids before they come in as alcoholics, and catch them then and get them a way to relieve their pressures and relieve their tensions and get more psychologically balanced where that won't happen to them.

I don't know how all that's going to be done, but——

[The prepared statement of Mr. Pollard appears on p. 214.]

Mr. RANGEL. Well, thank you, Mr. Pollard, and I hope that we can see how soon those needs can be met.

Mr. POLLARD. I feel that working with the law enforcement in Kingsville has helped me a lot as far as when people are released from jail, they're detoxed and I can start, you know, doing some form of treatment with them right then, since there aren't any facilities.

The jails, working real close with the people, there's a good chance, then, you can start working with the children of these people.

I'm kind of skipping over a lot of my ideas, but——

Mr. RANGEL. Well, we have those ideas, and they'll not only be in the record, but we hope we can come up with some type of vehicle, as we did with law enforcement, to see just how coordinated your efforts are in prevention and treatment and to see whether or not a stronger voice could be heard to the administration. Because a lot of this, you're going to need local and State support. And if you don't know who's going to represent you and who's going to be protecting the interest in the budget and if there's no political support for it, then we're just whistling against the wind.

But it's not as though the communities don't have the same type of problem, but it is, though, some communities are a heck of a lot better organized with churches and synagogues and civic groups saying that this is a priority. And politicians, necessarily, have to respond to what their constituents believe is the priority.

Addicts are not considered a priority unless somebody, like this group, comes forward collectively and exercises that type of political strength.

Let's hear from Mr. Salwen. He has a rather extensive statement before the committee. So, why don't we talk about what the Electronic Data System Corp. is doing, because with my limited understanding of national and Texas politics, Ross Perot doesn't need a whole lot of community groups in order to have support.

Mr. SALWEN. On the contrary, Mr. Chairman. We would not have gotten anywhere if it hadn't been for hundreds of thousands of Texas parents. Ross Perot and I and the other members of the committee, acting by ourselves, couldn't have gotten anywhere.

The major thing that we found was that there was a tremendous upwelling of concern all across Texas.

Mr. RANGEL. Well, let me start off by complimenting the organization, as well as Mr. Perot for using the skills that he has in business to organize the community and to try to meet those needs. And I hope the committee might have some recommendations how we can be of some help for that effort.

So, if you can highlight for us what you have been doing, we will appreciate it.

TESTIMONY OF RICHARD E. SALWEN, TEXANS WAR AGAINST DRUGS, DALLAS, TX

Mr. SALWEN. Thank you, Mr. Chairman and members of the committee.

I'm not going to read my statement, even though I had left out, inadvertently, page 5. It's now been inserted in your copies, and I apologize for not having gotten that here.

Mr. **Rangel**. Let me make it clear, in case I've overlooked it, that the statements of all of the witnesses will be entered into the record in their entirety.

Mr. **Salwen**. Thank you, Mr. Chairman.

The Texans War Against Drugs Committee was appointed by the Governor of Texas to determine and implement effective strategies to reduce drug abuse in the State of Texas.

The committee was established in 1979 and has been active since then.

Because our resources, and, indeed, all of the resources available to the State, are limited in this area, our first priority was to do research and to collect those strategies for reduction of drug abuse that would be most cost effective. The ones we selected are not, by any means, the only strategies that ought to be followed, just the ones that we felt were most important to get immediate effect.

For example, we decided early on that we had to focus, pretty much exclusively, on prevention rather than treatment. That doesn't mean that there shouldn't be treatment for people who have gotten themselves in trouble with drugs. They've got to have that. But we felt that we could do more with less by focusing our efforts on prevention.

Another example, as we looked into it further, we discovered that the whole prevention problem required us to focus first on youth. And you've heard lots of testimony about the age at which kids are entering the drug culture, and I won't repeat any of that for you.

Prevention, further, we decided after we looked in it, required that we focus, not exclusively by any means, but primarily on the problem of marijuana, because marijuana is the gateway drug. It is the drug that is 80 percent of the illicit drug use in the United States. It is the drug that most of the kids use first.

Now, here in Texas, we've got a special problem, particularly among the Hispanic community of inhalants, and we felt that that required some focus, too. And we tried to emphasize that.

Finally, we decided that prevention required that we focus both on the demand, that is, educating parents and children and teachers and everyone else about the problems of drugs so that you will reduce the demand for drugs, but that you must also focus on the supply side of the equation, that you must cut down the supply of drugs along with the demand if you are to be effective in reducing drug abuse as something that doesn't reengender itself.

Based on those ideas and decision, we adopted the following strategies:

First, to review and improve Texas laws in order to give law enforcement better tools and cut down the supply of illegal drugs.

Second, we want to provide better information and better training for local law enforcement agencies, prosecutors, and judges. And we've conducted more than 50 seminars statewide for those local law enforcement agencies.

Third, and most important, we want to select and implement strategies to reduce the demand by educating parents, teachers, and children to protect our youth. And to do this, we've acted to be an information resource and to disseminate up-to-date information that we've found elsewhere. We didn't generate any of this ourselves, but we've gathered it from all over the country and served as a dissemination source for it.

Second, to help form and organize parent coalitions and peer groups. There are now more than 400 functioning groups in more than 150 Texas cities and towns.

Third, to provide inservice training for school districts and speakers for community groups to further bring awareness of the problem.

Finally, to multiply our effect by mobilizing major volunteer groups. And we've got the Texas PTA, and they printed for us the manual which is attached to my statement.

There is also, by the way, a good description of the laws that we developed and which were enacted by the legislature of Texas that's attached to the statement.

The PTA, the Lions International has adopted our program as an international priority. The Texas Medical Association auxiliary, the Junior League, and various church organizations across the State are all using the programs that we've selected and which we disseminate.

The result has been, we think, very encouraging. We don't have any specific statistics for Texas, but what we've done here has been paralleled by similar kinds of movements in other States, the result of which, if you look at the most recent statistics, the demand for illicit drugs, and particularly for marijuana, has leveled off nationwide. If you look at the current users and the daily users among schoolchildren, that has leveled and is slightly down in 1982.

We certainly can't take credit for all of that, but we think that the kinds of things that we've done have helped with that.

The next step, in our opinion, is to go forward with the kinds of things we are recommending in my statement.

First, we think that there needs to be better, more thorough research than has been done at the Federal level about the effects and dangers of all kinds of drugs, but principally of marijuana, and that there needs to be more aggressive dissemination of that information once it's developed.

Second, we think that there needs to be more emphasis, particularly in Texas, on interdiction of the smuggling problem. And here, I want to draw your attention, more than cease smuggling, although there's more comes in in one big bulk than you can bring in a plane, we think the biggest problem in Texas is the midnight air traffic that runs across every night and lands in our west Texas, principally west Texas—I don't want to give west Texas a bad name—but principally our west Texas area, because that's the area where the land is relatively flat. You can bulldoze an airstrip in a couple of hours. Also, there's an area—there's one road, and I'm not sure what the highway designation is, where they've got about 4 miles of straight, flat road with no electric wires along it, and smugglers call that West Texas International.

Some nights, I'm told by department of public safety officers, our State police organization, that there are as many as two or three drug deals going on simultaneously along that road.

Third, we are asking that you provide more and better funds to train and inform local enforcement agencies. We've taken some steps there. We don't think it's near enough. You can multiply the effects of all the Federal agencies if you'll provide better training, better information.

Finally, and most important, we want the Federal Government to go forward with aggressive eradication efforts. This is the best form of prevention there is, is to get the prevention at the source. And I'm talking about both foreign eradication, really pressing the South American and Central American countries to comply with the treaties that require them to do this, following up, seeing that it's done, and finally, so that we live up to the treaty, doing an aggressive eradication effort here in the United States.

I'm just sick when I see the furor that's been raised over paraquat spraying of marijuana. Paraquat is used all over this country to spray crops with no damage or hazard to life or health, and it's a damn shame to see people—that it only becomes a dangerous substance when you use it to eradicate marijuana.

Mr. RANGEL. Counselor, we were in South America advocating the use of herbicide when we were embarrassingly notified by Bolivian friends and Colombian friends, but it was happening right in Georgia.

[The prepared statement of Mr. Salwen appears on p. 218.]

Mr. RANGEL. Listen. We have to leave.

But your testimony is very important because you went far beyond just the area of prevention, and your organization, obviously, has resources that some of the smaller communities do not have.

It's always, in politics, that those that do something you ask them to do a little more, but you're used to that.

I'm going to ask whether or not you can arrange to meet with Congressman Ortiz so that he can share with you some of the legislation that we have pending in the Congress, some of the things that we've been able to do in foreign affairs through the efforts of Mr. Gilman and others, and to see whether or not we can extend this Texas war on the national level, and certainly as it relates to some of the budgetary problems that we are facing in terms of cutbacks.

The voices of many of the constituents at this table are not going to be heard, or, even with the best talent. It's hard to organize them so that it would have any impact.

It would seem to me that if we can be of help to the charter in bringing this all together in Texas, I'll steal the idea and take it to New York.

But you have got a lot of pieces, if they were locked into place. A lot of talent. And I think it could have some impact in Washington.

And I would ask you, counselor, whether or not you would agree to meet with Mr. Ortiz to see whether or not this committee, as we move forward in the areas of research, which, really, it's embarrassing what we're not doing, and eradication and that type of thing, whether we could work well as a team.

Mr. **Salwen**. Mr. Chairman, I don't have anything more important than that to do in this world, and my time belongs to the committee. You've got as much of it as you want whenever you want it.

Mr. **Rangel**. We're deeply appreciative. And I personally will be following through with Mr. Ortiz.

Let me hear from Miss Meadows, and her group is the Corpus Christi Drug Abuse Council.

Thank you for your patience.

TESTIMONY OF CHRISTINE MEADOWS, EXECUTIVE DIRECTOR, CORPUS CHRISTI DRUG ABUSE COUNCIL, CORPUS CHRISTI, TX

Miss **Meadows**. Thank you.

The Corpus Christi Drug Abuse Council is 14 years of age, so we've been through lots of funding cycles, new deals, old deals, raw deals, whatever.

We're excited about being here today because we're at a point in the continuity of our agency that something's either got to be done or the doors have got to be shut.

We're 60 percent federally funded, 40 percent local cash match, which is a great deal of money. And that money isn't—there's no city-county money that will handle that because my agency is a private agency.

The reason for that is that years ago when they came down with the MHMR concept, mental health/mental retardation, the two doctors who started my agency chose to go to Washington and get direct funding for our Methadone Program because they did not want the client to be involved in the bureaucracy of yet another health agency.

So, when Tricky Dicky Nixon came in with MHMR, we chose to stand alone, and we're still paying for that.

So, we have 183 slots. We have 108 on methadone. We're carrying 128 people. We have 75 on drug free; I'm carrying 99 people. I have 52 people on waiting list trying to get on. And, in fact, as of this morning, I have three lawsuits against me because we have no slots for opiate drug abusers to get on the Methadone Program. We have them waiting in the wings, if you will.

There's better heroin in town than there's been in a long time. I've been with the agency for 12 years, and so, we know pretty much the cycle of the drug abuse.

I was amazed with Sheriff Hickey's report this morning with regards to what they're not doing or doing.

Unfortunately, the parents aren't bringing the children in at a point where they could get counseling and prevention sort of measure when they're first smoking marijuana; 95 percent of my people on my drug-free program, if you will, are referred by the courts, the judges who call me and say, "Chris, can you take one more. We can't send them to TDC, Texas Department of Corrections, because there are no more places."

So, in lieu of penitentiaries, we get the young people to try the drug counseling, surveillance of the urinalysis, if you will, and then we report back to the probation office, if there's State probation, and then they report back to the judges.

It's been very effective. It eliminates a lot of folks going to the penitentiary.

The problem there has arised that I am getting older and not better. I cannot continue to raise the 40-percent match. We received 247,498 Federal bucks, which are channeled through Texas Department of Community Affairs Drug Abuse Prevention Division in Austin. With that, I have to match $164,999.

Also, that's only my budget for my treatment. That's not my total agency money, because they don't allow me to put everything I'd like in, you know, the treatment budget, if you will.

We were cut 11 percent this year. There are 52 people on the waiting list. I was cut 12 clients. My match was raised from 35 percent to 40 percent.

We do all sorts of things to raise money. We have a urinalysis machine. The Eagles Lodge are doing good work on getting me a new one. My old one is about dead. And we're running a lot of urines for probation and the outside world, if you will. They pay up front, and we run those urines for folks. We observe urines, we cover six counties and the 36th judicial district, which the home base is in Sinton, TX, those clients, those probation clients up there.

We're not able, really, to offer counseling service due to mileage, but we are able to offer the urinalysis kinds of testing and get that.

Where they get those kinds of bucks to pay us, if they're not going to claim drug abuse on the State level, it made sense to me, and they're going to give the money to criminal justice, then I'm going to get my portion from them for their urinalysis testing, as opposed to mailing it to California, because we can give them a turnaround in an hour's time. And they know exactly how dirty the man is and what he's doing.

We also handle the AO types, which the administrative offices of the U.S. court, the old bureau of prison people, that's the new Federal name for that, and we handle those people on a contract basis.

All of my statistics are in here with regards to how many folks work. Even with unemployment being what it is, there's a little, and I think within 90 days, you must either be employed, going to school, or a homemaker. We don't care what your sex is. Just put an apron on and take care of the kids.

So, we're pretty emphatic about what our responsibilities are, and they, in turn, must be responsible, too, if they want to stay on our program.

The other thing that I would like to point out is that we have no prevention, not even when Governor Clements proclaimed the war against drugs. Our prevention efforts were ceased because they felt the money better spent on that effort. So, my efforts were cut.

The only time I do prevention, which we get calls daily, is only if they'll pay, up front, $35 an hour for schools and $100 for industry. So, we offer no preventative services, although people request that.

[The prepared statement of Miss Meadows appears on p. 230.]

Mr. RANGEL. How much State money do you get?

Miss MEADOWS. Well, I get $247,498. That's my money from the Texas Department of Community Affairs, to be matched with 40 percent.

Mr. RANGEL. Isn't that the Federal money?

Miss **Meadows**. Well, that's the Federal block grant.

Mr. **Rangel**. What's the State money?

Miss **Meadows**. None.

Mr. **Rangel**. Who's on your council?

Miss **Meadows**. My council?

Mr. **Rangel**. Yes. I mean, do they represent other organizations or individuals? The Corpus Christi Drug Abuse Council.

Miss **Meadows**. Oh, we only represent ourselves.

But let me point out that we've been working on the McAlister Act on the State level for the last 2 years. It has been passed with no money, which makes it a worthless piece of legislation.

We have attended all the legislative hearings. I am familiar with who is in Austin, more than they want to know. And I have appeared and testified for that hearing year after year after year.

Mr. **Rangel**. What's the name of your State representative where you are situated?

Miss **Meadows**. I use Senator Truan, primarily, and then I use Glossbrenner.

Mr. **Rangel**. Who's the local——

Miss **Meadows**. Oh, and Hugo Berlanga.

Mr. **Rangel**. All right. Your council are individuals, rather than organizations, right?

Miss **Meadows**. It's one board of governors, yes. Directors.

And they, too, helped testify to get the State bucks, but Texas is the lowest with regards to giving to State programs in the whole bunch.

Mr. **Rangel**. Well, one of the problems that we have, not just in your State but in many States, is that when you look at the priorities that the State representatives have, alcoholics and drug addicts have to be on the bottom of the list. They don't vote. They're not organized. The churches don't support them.

And so, the real question is: When you get people like Ross Perot and others who are willing to give their time, how can you mobilize those people who are concerned to come forward and make that a part of their political priorities so that representatives would know that even though the people that you're trying to protect can't help or hurt them, those who are advocating more help——

Because, to me, in the long run, it's one of the cost effective things that you can have. Prevention, to local and State governments, what voices are heard screaming against this?

I hoped that maybe we could find your council members and others to say that this money could be cost effective if properly used.

Miss **Meadows**. I think the State of Texas, if you will, recognizes that they don't give enough money.

And Monsignor Brosnan, who's going to be on your panel, I think, tomorrow, can address that, because those of us who have been in the business for a long time have worked very diligently to get the cash match up on the State level.

But we don't have constituents, if you will, to make enough noise to get the McAlister Act passed with money.

I don't know the answer to that. I don't know that Federal bucks, if 60 percent is the proper amount, and then what's the State going to do?

The problem therein lies that there is a terrible drug problem in south Texas, OK? I was asked to address that problem. And what the State chooses to do with that, then—you know, all we're doing right now is closing State programs and coming up with private, which puts more methadone in the streets on an illegal basis, which makes a bigger problem for south Texas.

And this is my community, also.

So consequently, we're going to have to find some sort of funding alternatives, if the State's not willing to bear that with the McAlister Act.

I don't know what the Federal proposition is going to be either.

Mr. **Rangel**. Well, the proposition is that you go to voluntary agencies, charitable organizations, and churches. That's the Federal response.

Now, it's an election year, and I'm confident that they can change that response if we hear from enough people who would say that they tried it that way and it didn't work. You and I know that it's not working.

Miss **Meadows**. Right.

Mr. **Rangel**. It didn't even work before we had an economic problem in Texas, which somehow separated its oil taxes and educational taxes. But that's a local problem.

Now, what you're facing in southern Texas is a national problem, and I'm confident that we can get together with Congressman Ortiz and have it pictured as a national problem, especially in southern Texas. We're going to need some help.

And just seeing who you are, the organizations that support you collectively, I'm confident that you have the expertise to present a case that can be heard at the White House, or, at least, assist us in presenting our case to the House.

I want to thank you for this information.

And again, the record will be left open. I would ask Mr. Ortiz, who realizes that we have to go, if you'll hold it, Mr. Ortiz. I would want you to adjourn our meeting because you know the schedule better than I do.

Mr. **Ortiz**. Yes. We are going to have to leave in a few minutes now to go to Brownsville.

So, I don't have anything further to state.

Mr. **Gilman**. Mr. Chairman, first of all, I recognize we've got very little time.

I want to thank the panel. I think they've given us a lot of worthwhile information, and I'm particularly interested in the way they are handling their own programs with the limited funding.

I note that tomorrow Deena Watson, director of the drug abuse prevention program from the Texas Department of Community Affairs who is apparently an individual a lot of you don't know, is coming in. And she says:

> At a time when the block grant mechanism shifts administrative responsibilities to the State level, support for administrative staff has diminished drastically. A core of quality services has been carefully developed over the past decade and attention by the agency should now be given to expanding toward a comprehensive system of services fully coordinated with related efforts. Unfortunately, support for State planning staff has similarly diminished and funds are unavailable for development of these additional services.

Is that a valid criticism of the State's planning and programming?

Miss **Meadows**. Deena Watson is the head of our department, if you will, at TDCA and is in the audience today, and I'm responsible to her for my funding.

Mr. **Gilman**. Well, if this is a valid problem, then it seems to me that you've got an important problem to take care of at the State level to make certain that there is some adequate administrative staffing to do the kind of job that needs to be done to assist all of your various agencies, and I urge you, at the State level, to focus some more attention on that very important aspect of Deena Watson's testimony.

I want to commend all of you for thinking. I think that this manual that you've developed in the Texas war may be very helpful to some of our other State groups, and I'm going to be passing it on. I hope you can make some supply of that available to us.

But each of you have offered something very important to what the problems are in dealing with this at the local level.

But, again, I say, take a good, hard look at what Miss Watson is saying. If they need some better administrative support at State level, and it's my impression that in the block grant programs that have been passed on, there is a need for State governments to do a lot better in sorting out the problems and prioritizing the funds. And I hope you'll take a good, hard look at all of that. It was intended to give the States a lot more discretion in utilization of these funds and the manner in which they were prioritized.

Do you have any comments that you'd like to make?

Just one more request of all of you. What do you think is the most important thing that we can do, as a committee, to be of help to you? In a quick phrase.

Dr. **Garza**. Mr. Gilman, I would say that I think that the consensus today has been reached that we all need more money to operate our programs.

Our total funding from the Texas Department of Community Affairs is $35,000. And we have 3 people working the program, 2½ people really, and with that we have been able to do wonders.

And there's more people that call us from all over Nueces County that we cannot serve because we don't have the mileage, we don't have the personnel.

Mr. **Gilman**. Miss Meadows, do you have something, one major request?

Miss **Meadows**. I just need bucks. And I'm not picky. I'll take Federal or State. And we're going to work on both levels.

Thank you.

Mr. **Gilman**. Mr. Warren.

Mr. **Warren**. We have, at this point, never taken any Federal or State money and operated totally privately. We would like to see some money become available with only a limited hassle for prevention efforts.

Mr. **Gilman**. No strings attached.

Mr. **Warren**. Yeah. None of the 55,000 pages to get it.

Mr. **Gilman**. Mr. Pollard.

Mr. **Pollard**. I'd like to agree with Dr. Garza, if I could just add somebody else to help here and some personnel here to spread out more.

Mr. **Gilman**. Mr. Salwen.

Mr. **Salwen**. I think the most important thing you can do is eradicate drugs at the source, reduce the supply.

That's not to say these other things are not important, but I think the single most important thing is a—I know I'm preaching to the choir—but a tougher, stronger, broader eradication effort.

Mr. **Gilman**. That's precisely what this committee has sought to do. We went to Latin America recently and met with the heads of government to preach eradication.

And then, Mr. Rangel and I introduced some legislation, and it, fortunately, has been adopted, cutting out economic assistance in the event some of these foreign countries do not come through with a proper plan of implementation of eradication program.

Mr. **Rangel**. With a congressional hearing.

Mr. **Salwen**. Thank you, Congressman.

Mr. **Gilman**. Thank you, Mr. Chairman, and I want to thank the panel.

Mr. **Rangel**. What I hope, before we adjourn, Mr. Salwen, is that you might send to this committee the names of the corporations, Texas-based corporations, which are cooperating with your efforts, as well as seeing whether we can come up with the names of some corporations that are not cooperating.

Mr. **Salwen**. There are some, and we'll be happy to send them, Mr. Chairman. But, primarily, it's individuals, rather than corporate entities. It's parents all across the State. And we've found that if you let them know there's a place, they flock in to support.

Mr. **Rangel**. Well, OK. Let's try a different approach. You have a chamber of commerce down here, and they were very kind to us yesterday. I hope that you can have some type of meeting with those that are providing preventative and rehabilitation care to collectively state the problem as eloquently as you have today to see whether or not we can have corporations join in this Texas war against drugs.

Those of us that serve on the Ways and Means Committee will remind them from time to time of the President's request of them to perform this type of public service.

And, maybe, collectively, with the efforts of Congressman Ortiz, we can identify those people that are following the President's mandate or who believe that the President's not talking about them.

But clearly, your constituency, your clients are falling between the cracks. They're not a part of the safety net. They're not included in Federal funds, and local and State governments have been unable to fill the gap. And this has caused us an increase in the amount moneys that are being spent either in the jails, the court system, or law enforcement.

So, as the sheriffs and police chiefs have gotten together, maybe we can form a minicouncil, if you will, for those that want to provide better and more services and see what we can do to help in Washington.

Thank you.

The committee will stand adjourned until tomorrow morning, 9 o'clock.

[Whereupon, at 3:30 p.m., the committee was recessed, to reconvene at 9 a.m., Tuesday, December 13, 1983.]

[The following was received for the record:]

December 6, 1983

Hon. Charles B. Rangel
U. S. House of Representatives
Select Committee on Narcotics Abuse and Control
Room H-2-234, House Office Building Annex 2
Washington, D.C. 20515

Dear Sir:

Thank you for your letter regarding the hearing in Corpus Christi December 12 and 13. Please accept this letter as my brief response to the issues you will be considering. Obviously, Brownsville is the "hottest" or nearly so of any city in our nation with regard to smuggling and trafficking. We are a border town, a coastal town, a tourist town, a poverty area, understaffed, and historically famous for being a place to bring things through or across. I would estimate that we are the likely channel for every thing east of the Rocky Mountains.

With regard to the other areas dealing with effectiveness of treatment, prevention network and educational needs I am disappointed that you did not select more qualified people to issue opinions on these issues. The only one that I've heard of that will be testifying that has real knowledge along these lines is Robert Warren, Director of the newly formed Palmer Drug Abuse Program. He moved here in April of 1983 from Midland to open this program.

The addiction problem is alarming and of epidemic proportions in our area. Drugs are being bought, sold, and given away in every school in our city. Ten year old children have a variety of market places to obtain chemicals of all sorts.

Fairlight, Inc.
2390 Central Boulevard, Suite S • Brownsville, Texas 78520 • (512) 542-7000 •

We have had very little treatment effectiveness in our area. This spring several facilities opened for the first time. These include our facility, a family out-patient treatment center; Charter Palm Hospital, an in-patient facility; the Detox-Evaluation-Referral agency; and a halfway house in Pharr, Texas. Prior to the opening of these we only had MHMR facilities in Harlingen and Edinburg with entrance requirements and waiting lists that limited their effectiveness. All facilities that are state and federally funded have long, long waiting lists and you well know drug dependent persons don't wait well.

A number of prevention programs have come and gone. The most successful and effective was the Cottage Program based in Salt Lake City. This failed due to lack of acceptance by persons in the field of chemical dependency in our area, in my opinion. The Mexican-American people working in the field seem to think that the citizens of our area in difficulty need to be treated in a different fashion. The Mexican-American culture is no different than the black culture, the Oriental, American Indian, or any others. Persons with drug dependency problems need basically the same treatment as I see it.

We are extremely limited as far as education is concerned. The major provider of this is the Valley Regional Council on Alcoholism and Drug Abuse. They, with a staff of one and a half persons and a cadre of volunteers present educational sessions to over 20,000 persons per year. They could desperately use funds to expand their film library, provide a video system, and offer expenses to volunteers.

We need help.

Sincerely,

Howard B. Conkey

HBC/gwr

Fairlight, Inc.
2390 Central Boulevard, Suite S • Brownsville, Texas 78520 • (512) 542-7000 •

NUECES COUNTY MHMR COMMUNITY CENTER
1630 South Brownlee   Corpus Christi, Texas 78404

December 9, 1983

Congressman Solomon T. Ortiz
Congressional District 27
U.S. House of Representatives
Select Committee on Narcotics
Abuse and Control
3649 Leopard Street
Corpus Christi, Texas 78408

Honorable Congressman Ortiz,

In lieu of a personal appearance before the Select Committee's hearing panel in Corpus Christi, Texas on December 12-13, 1983, would like to submit the following testimony on narcotics abuse. My comments specifically address the area's needs in terms of providing treatment to those individuals and their families who are already affected by narcotics use and abuse. In addition, I want to share some observations in the area of prevention of Drug Abuse.

If I can be of further assistance, please feel free to contact me at (512) 884-6667.

Sincerely,

Margarito P. Martinez

Margarito P. Martinez
Service Director
NCMHMR Substance Abuse Programs

MPM:nd

Administration (512) 888-5321
Adult Mental Health 888-4445
Child & Youth Mental Health 884-8467
Mental Retardation 888-5541
Substance Abuse 884-6667

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NUECES COUNTY MHMR COMMUNITY CENTER

1630 South Brownlee Corpus Christi, Texas 78404

TESTIMONY ON NARCOTICS ABUSE TREATMENT NEEDS

The Nueces County MHMR Substance Abuse Center has been in existance for approximately 12 years. It has three components: a residential program, an outpatient program and an Alcoholism Prevention project. The programs serve individuals with alcohol, drug, or combined addictions, and treatment includes individual, group, and family psychotherapy. It also includes recreational, educational and vocational counseling.

In the process of providing services to the people of Nueces County several issues stand out as needs that must be met. These efforts, however, require additional and more comprehensive planning and funding.

Residential Services

In drug abuse treatment, our residential program is the only government-funded facility in Nueces County and the Coastal Bend area. The facility has 48 beds which are divided almost evenly to serve both alcoholics and drug abusers. The identified needs in this area includes:

- *additional drug abuse treatment beds,*
- *child care services so that females with children may enter treatment,*
- *a residential treatment facility for children, and*
- *funding for follow-up activities that can explore the impact of treatment.*

Prevention Services

Prevention is probably the most popular, least understood, and the most poorly funded category in the field of drug abuse and mental health. The Nueces County MHMR Substance Abuse program's working definition of prevention is as follows:

> *"Informational and educational services to a population that is at risk of becoming involved in the use and abuse of drugs".*

In prevention there is a great need to make factual information available to children and youth. The latest research and studies clearly show that informational and educational program to children must begin in elementary school, first,

Administration (512) 886-5321
Adult Mental Health 888-4445
Child & Youth Mental Health 884-6457
Mental Retardation 888-8541
Substance Abuse 884-8867

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second or third grade, after that it may be too late. It is certainly too late in high school. The professionals providing this services must learn to use non-traditional tools and methods that appeal to the children's increased awareness. The use of films, slides and lectures are minimally effective, instead plays, puppet shows and other media activities must be explored and utilized to maximize effectivenes.

Special community prevention programs must target the minority populations (blacks and hispanics). These groups have high incidences of use and abuse and their culture and language present a different dimension in communication . Employer groups and unions should also be addressed in an effort to explore the relationship between the high incidence of accidents, absenteeism, poor job performance and the use and abuse of drugs.

In the past funding for prevention activities has always been limited because funding sources expect programs to show proof that they have prevented a specific number of persons from becoming drug addicts.

I want to conclude by applauding the Committee's and your efforts to understand the drug abuse problem at the grass roots level.

ANONYMOUS LETTER RECEIVED BY THE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL, DESCRIBING THE IMPACT OF DRUG ABUSE ON ONE FAMILY IN CORPUS CHRISTI, TEXAS

December 12, 1983

Select Committee on Narcotics
Room H2-234
House Office Building Annex 2
Washington, D. C.   20515

Gentlemen:

I am aware that you have been holding meetings to discuss the drug situation in Corpus Christi, Texas and I would like to make a written appeal to you for assistance. I wish to remain anomymous.

My husband and I have very good jobs, professionals in our community. We have been married for over 20 years and have two sons, age 15 and 10. We live in a nice neighborhood close to an elementary school and junior high school. We have been very active with our children, playing little league baseball, soccer, boy scouts, school participation, etc.

When our oldest son entered junior high school at age 13, we were totally unprepared for what would happen during the next two years. He went into the 7th grade with a good academic record and had been a member of the safety patrol in 6th grade and student council. He lasted 6 months. He began expermenting with pot during Christmas vacation. We began to notice strange signs. He talked on the phone, he stayed in his room, he did not want to be seen with the family. Our 8 year old began having difficulty in school, his grades were bad. We began seeing a pyscologist with our 8 year old.

We discovered that the 13 year old was smoking pot and so were all the other kids in the neighborhood. They had even given it to our 8 year old. We were devastated and ashamed. We talked to other parents, we worked with our children, we joined PDAP, we became very active. We began to investigate the neighborhood, talk to school teachers and principals. We learned that this was a horrible epidemic. Not only was it affecting our children, but look at the news paper, everyone, sports heroes, school teachers, etc., were doing the same things

We talked to the parents of other children, told them what was going on. We turned names of drug dealers in our neighborhood over to the police. We feared for our lives. God help us, we did not know what to do. Our jobs were suffering, our family was suffering, our children were headed for the gutter and death.

We turned to God, realizing that our 13 year old was going to die. We talked to our doctor, who had treated this child for 13 years, she said I can't help you. We sent him to a drug rehabilitation hospital in Houston, Texas. The cost was $35,000.00 for nine weeks treatment. When he came back home, he lasted about 28 days, then the same cycle began over again. My husband and I were losing our minds. We turned to the Corpus Christi Drug Abuse Council. I had a personal friend there and they agreed to see our son. They began to council him weekly and check his urine weekly. We began to physically beat him. We had tried everything else and didn't know what else to do. It took 35 licks with a wooden paddle and four straight weekends in the house. We were totally committed to turning this child around.

Our son has been clean for the last six months. We changed him from the public school to a catholic school. We are Baptist. He requested this change. He began to feel better, look better and act better. Our youngest child started to do well in school, our family has started to heal.

I wanted you to hear our story. The assistance I seek is stiffer penalties for people who break the law and sell drugs. Stiffer penalties for DWI's - most of the DWI's are high on drugs, we just can't tell the difference. I support investigation into corruption for our police, judges, officials and people who enforce the law. Some changes need to be made in laws affecting minors. Drug dealers know that minors can escape through the system, consequently, we have 11 year old drug pushers. It is common practice for the older kids to deal to the younger kids.

Thank you.
Corpus Christi, Texas
Family

U.S. Department of Justice

United States Attorney
Southern District of Texas

12000 Federal Building and U.S. Courthouse
515 Rusk Avenue
Houston, Texas 77002

Post Office Box 61129
Houston, Texas 77208

December 15, 1983

Mr. Richard B. Lowe, III
Chief Counsel, House Select Committee on
Narcotics Abuse and Control
Room H2-234, House Office Building Annex 2
Washington, D.C. 20515

Re: December 12, 1983, hearing
in Corpus Christi, Texas

Dear Mr. Lowe:

During my testimony before the Select Committee, Congressman Gilman asked me to submit our narcotics caseload showing both the age and the status of the cases. The following statistics are in response to that request. The column at the left indicates the year in which our file was opened.

1963	1	fugitive status
1969	3	fugitive status
1970	2	fugitive status
1971	8	fugitive status
1972	8	fugitive status
1973	6	fugitive status
1974	12	fugitive status
1975	10	fugitive status
1976	23	fugitive status
1977	13	fugitive status
1978	8	fugitive status
1979	10	fugitive status
	1	awaiting trial
1980	9	fugitive status
	1	awaiting arraignment
	1	awaiting sentencing

1981	22	fugitive status
	1	awaiting arraignment
	1	awaiting trial
	5	pretrial diversion
1982	25	fugitive status
	1	awaiting arraignment
	2	awaiting trial
	4	awaiting sentencing
	1	under investigation
	6	pretrial diversion
1983	40	fugitive status
	23	awaiting arraignment
	34	awaiting trial
	26	awaiting sentencing
	1	in trial
	9	awaiting grand jury
	1	awaiting service of warrant
	11	under investigation
	4	indictments being prepared

Congressman Rangel also inquired as to the caseloads of the federal courts in the Southern District of Texas. Enclosed please find the Southern District of Texas' response to the "Questionnaire for the 1984 Biennial Survey of Judgeship Needs." I would like to call the Committee's attention to several points. In the narrative answer to 3(a) it is pointed out that from June 1982 to June 1983 the total caseload in the district grew over 99%. The rate of growth of the "weighted" caseload in our district far exceeds the national average. In the narrative answer to 3(b), the Drug Task Force is specifically cited as a reason why more judges are needed. Our courts are strained up to or beyond their limits. I would not recommend putting any more prosecutors into the district until we receive additional judges.

Very truly yours,

DANIEL K. HEDGES
United States Attorney

Enclosure

cc: Honorable Jesse Clark
District Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
UNITED STATES COURTHOUSE
HOUSTON, TEXAS 77002

CHAMBERS OF
JOHN V. SINGLETON
CHIEF JUDGE

October 5, 1983

Honorable Charles A. Moye, Jr.
Chief Judge
Chairman, Subcommittee on Judicial Statistics
Northern District of Georgia
75 Spring Street, S. W.
Atlanta, Georgia 30303

Dear Judge Moye:

Attached please find the completed questionnaire and supporting materials relative to the 1984 Biennial Judgeship Needs. I am distressed that Congress has not yet enacted legislation companion with recommendations based on earlier surveys. Upon submission of the 1982 Biennial Survey, I submitted a rather lengthy missive containing what appeared to be our justification for an additional position but declined to request such position. The position was not requested primarily due to the fact that there simply was not sufficient space available to house another judge and construction resulting from the 1979 omnibus judgeship bill has only been completed this month. In other words, it was my desire to withhold the request for additional help even though it was needed at the time in order to ensure that we could economically utilize a new position. The failure of Congress to act indicates that my fears were useless and now we are in serious need of positions which we can accommodate. With the taking of senior inactive status by one judge, the assignment of an exclusive Galveston docket to the district judge resident in Galveston and the acceptance of lesser quarters for an active senior judge, we have three complete facilities available for immediate occupancy. This simply means that the appointment of three new district judges would not cost the tax payers any additional construction funds and would reap early benefits in managing and disposing of a fast growing docket.

I am forwarding a copy of the completed questionnaire and supporting material to Mr. James A. McCafferty, as per your instructions. The materials contained therein represent the genuine and urgent needs of this district for the effective administration of justice.

Sincerely,

John V. Singleton
Chief Judge

cc: Mr. James A. McCafferty

Questionnaire for the 1984 Biennial Survey of Judgeship Needs

Please complete the questionnaire and send it along with any additional supporting material by October 10, 1983 to the address shown on page 8.

1. District/circuit Southern Texas .

2. a. Number of judgeships recommended for your court in 1982 by the Judicial Conference 0 . Is there still a need for these additional judgeships? N/A If so, they must be justified below.

   b. How many additional judgeships over and above the number shown in "a" above are required to meet the present needs of your court? 3

In preparing your responses to the following questions, please justify all judgeships requested in both 2a and 2b above. If the Judicial Conference did not recommend judgeships for your court in 1982 and you are not requesting additional judgeships in "b" above, respond only to Questions 7 thru 12 (courts of appeals) or 10 thru 12 (district courts).

3. a. Comment on all caseload factors of your court that justify your request for additional judgeships and explain their significance.

See Attachment No. 3(a).

   b. Give an account of other factors not included in the statistical profile that justify a request for additional judgeships.

See Attachment No. 3(b)

c. List any recent legislation that you think will affect your court more severely than it will affect others. Include a brief explanation.

d. Discuss any geographical problems within your district/circuit that affect your need for additional judgeships.

See Attachment 3(d)

e. Explain the effect of any present or past vacancies or long term medical difficulties of active judges on your court's ability to handle the current workload.

None

f. **Is the situation that requires you to seek additional judgeships temporary or long term? Explain.**

All indications are the present growth of litigation will continue to generally increase throughout the district, but accelerate particularly in the Houston and Galveston Divisions due to the continual growth of the population and rapidly expanding economic factors in the counties in and around the Houston - Galveston area.

g. **Discuss any additional factors that the Subcommittee should consider in evaluating the need for additional judgeships in your court.**

Economic considerations regarding the authorization of three new omnibus judgeship positions should include the fact that the Houston Division is currently capable of furnishing both chambers and courtroom facilities without additional cost. This capability occurred through the unexpected senior inactive status of one judge, the reassignment of full time resident duties to a second and the willingness of an active senior judge to accept less extensive chambers. This consideration alone will save the tax payers significant sums of money and allow the immediate utilization of new judgeship positions and relief from the pressures of bulging caseloads.

4. **What specific caseload or other factors would suggest that your court does not need any additional judgeships and why should the Subcommittee ignore them when reviewing the judgeship needs of your court?**

None

5. **What suggestions for handling the caseload can you propose if you do not receive the additional judgeship(s) you request?**

None

6. **District Courts only.**

   a. **Has the court, by local rule or otherwise, authorized the magistrate(s) to perform a full range of "additional duties" pursuant to Title 28 U.S.C. Sections 636(b) and (c)?**

   Yes.
   See Attachment 6(a)

   b. **Could the volume or range of duties of the magistrates in your district be expanded to relieve the judges of part of their workload? Explain.**

   See Attachment 6(a)

c. **If you had additional magistrates would your court expand the duties of your magistrates and how?**

Considering the remarks covered in Attachment 6(a), an additional magistrate position would allow a better distribution of the tremendous pending caseload now assigned to this court and its existing four magistrates. The court has allowed for the broad use of magistrate positions but simply does not have enough magistrates to exercise and delegate authority on anything other than a priority basis. At the moment, the management of prisoner related civil rights cases is demanding most of the magistrates time outside of criminal arraignments and more traditional functions. Without question, additional magistrate positions would allow sufficient distribution of this unusual caseload complexion and perhaps furnish additional services and relief to the district court.

d. **Could the caseload situation in your district be resolved by the appointment of additional magistrate(s) rather than judgeships? Explain.**

Only as noted above.

7. **Courts of Appeals only**

a. **What percentage of the total case dispositions in your circuit are effected in the following manner?**

Without oral argument .... ____

Oral argument fixed in advance at less than the standard length .... ____

Normal amount of oral argument .... ____

Allowance of extra time fixed in advance .... ____

b. If the judgeship(s) you requested are authorized would you propose to change this? If so, how?

8. Courts of Appeals only. Fill in the following information on the schedule of sittings for the current year:

The court holds session ____ times each year for ____ days each session,

hearing ____ cases each day, totalling ____ cases per year.

Each active judge sits for ____ sessions and hears ____ cases per session,

totalling ____ cases per year.

Number of en banc sittings ____ (for a total of ____ cases per year).

The court sits in ____ locations each year. List the locations:

Does your court depend regularly on the services of senior judges and/or district judges within the circuit in setting the schedule of sittings? If so, is there a regular schedule for sittings for:

Senior Judges? Explain.

District Judges? Explain.

9. Courts of Appeals only. Does your court have a screening program for determining which cases require oral argument? Briefly describe your program.

7

10. **If the Subcommittee were to recommend that the number of judgeships on your court be reduced by one position, how would you justify retaining that position?**

The justification would be by statistical comparison of the patterns of steady growth in filings in the area and verifiable statistical profiles.

11. **Please provide your views on the possibility of the Judicial Conference recommending decreases in the number of judgeships during the Biennial Judgeship Surveys.**

12. **Does the response to this questionnaire represent the consensus of the court or the views of the responding judge only?**

Judge responding Honorable John V. Singleton
Signature ____________________
Date October 6, 1983
FTS Number 527-0600

Please send a copy of the completed questionnaire and any additional supporting material by October 10, 1983 to:

Mr. James A. McCafferty, Chief
Statistical Analysis and Reports Division
Administrative Office of the U.S. Courts
Washington, DC 20544
Attention: Judgeship Survey

3. (a) Comment on all caseload factors of your court that justify your request for additional judgeships and explain their significance.

Some rather significant and dramatic totals have evolved since statistical gatherings submitted in the September 1981 Biennial Judgeship Report. From June 30, 1981 until the same reporting period 1983, filings have increased as indicated below:

Houston = 120% (Houston - Galveston = 115%)
Galveston = 66%

Brownsville = 25% (Other Divisions = 44%)
Corpus Christi = 92%
Laredo = 63%
Victoria = 61%

It should be noted that these filings are unweighted, but do reflect significant increases at both Houston and Corpus Christi. Due to the diverse caseload distribution and caseload complexion (criminal vs. civil) the needs of this district should more appropriately be examined on a divisional basis rather than considering the district as a whole. While there is a percentage of increase at all divisions, the most dramatic occurs at Houston. It has been clearly established that resident judges assigned at each divisional point are necessary to ensure the effective and efficient administration of justice within that divisional jurisdiction. The press of deadlines under the Speedy Trial Act joined with the general demands of a heavy docket and vast geographic distance, prohibits routine shifting of resident judges from one division to another on any regular or scheduled basis. This procedure has been attempted in the past to the detriment of effective case management and the physical well-being of our judges. Consequently, the justification for new judgeship positions should stand on divisional demands and/or needs as opposed to the more traditional grouping of district averages.

Secondly, it should be noted that the Houston - Galveston divisions account for 77% of the total filings in the district with a district-wide increase of over 99% since June 30, 1982. Due to this high rate of filings the Houston -

Galveston judges hold a 48% higher filing ratio than judges in the other divisions. Thus, the caseload filing ratios as of June 30, 1983 are as follows:

Houston = 799.6(800) Per Judge
Galveston

Brownsville
Corpus Christi = 541.5(542) Per Judge
Laredo
Victoria

The published 1983 national average of weighted cases per active judge is 473, which represents a national increase of 13.4% over the previous year and 37.8% over the prior 5 year period. For comparison, please consider that the Southern District of Texas average weighted case ratio per active judge is 553 and represents an increase of 19.2% over the previous year and 51.9% for the 5 year previous period. The filings for the Houston - Galveston division divided by the national average of weighted filings per judge indicate the need for 11.7 active judgeships for the Houston - Galveston divisions. This requirement represents an increase of 3.7 additional active judge positions within the Houston - Galveston divisions.

3. (b) Give an account of other factors not included in the statistical profile that justify a request for additional judgeships.

It should be noted that not statistically supportable are several factors which place the Southern District of Texas in jeopardy of a tremendous increase in serious litigation even beyond that which is shown in our profiles. First, let it be noted that Houston and the Southern District of Texas has been targeted for a special task force for drug enforcement. The U. S. Attorney has increased its criminal attorney force by 26.9%, and similar increases have been noted among all law enforcement agencies. It can be expected that authorizations for prosecution, indictments and serious criminal litigation will increase as a result of this effort. Secondly, the economic down-turn in Mexico is much worse than most of the nation recognizes. Illegal aliens and those who traffic in this human commodity have reached unprecedented levels with full expectation of continued increase. Bankruptcies involving businesses have increased more than 59% in the Southern District of Texas, which will continue to involve the district court in such litigation. For instance, the recent bankruptcy of Continental Air Lines is expected to produce monumental litigation that most likely will be largely handled by the U. S. District Court.

All of the above factors auger themselves to the belief that not only will we continue to experience the caseload increases noted in other portions of this report, but that special factors loom large on our horizon which require immediate attention in the hope of avoiding a severe shortage of judges.

3. (d) Discuss any geographic problems within your district/circuit that affect your need for additional judgeships.

This district is composed of 45 counties in South and Southeast Texas consisting of 14,108 square miles, something less than one-fifth the area of the state of Texas. It lies, in general, in a belt approximately 150 to 200 miles wide along the Texas Gulf Coast, beginning on the east at a point approximately 50 miles west of the Louisiana border, and extending in a southwesterly direction, roughly parallel to the Gulf Coast, to the point of intersection with the Rio Grande River. It includes about 250 miles of common border between the United States and Mexico.

This district points to inherent geographic factors associated with distance between divisional offices, requiring complex management of clerical and judicial time. For instance, there are six divisional offices of the Court, including Houston (as headquarters), Galveston (58), Corpus Christi (250), Victoria (120), Brownsville (375), and Laredo (320). The distances in miles from Houston to each of these points are indicated in parentheses by the listed division.

There are diverse caseloads peculiar to districts similar to the Southern District of Texas which are affected by the geographic factors. In addition to normal litigation expected in cities of such size, Houston, Corpus Christi, Galveston, and Brownsville are deep water ports; and each - particularly the first three named - has a large number of admiralty, longshoreman, personal injury and cargo damage cases. In addition to this complex civil litigation, we are finding that more multidistrict litigation is finding its way to the Houston division in the form of complex antitrust suits. On the other hand, the Brownsville and Laredo divisions extend generally along the Mexico border with each of these cities being located on a main arterial highway leading to Monterrey and Mexico City. These divisions are burdened with extremely heavy criminal caseloads, which include smuggling and immigration cases. The Corpus Christi division is also feeling the impact of increased civil litigation and continues to receive intense criminal activity being filtered through the border divisions en route north. All of the misdemeanor immigration cases and many felony, which are filed as misdemeanors, are handled by the U. S. Magistrates in the border divisions, bringing some relief to the court's docket. The continued press of the Speedy Trial Act often results in civil cases in Brownsville, Corpus Christi, and Laredo being delayed, resulting in periodic "Crash Docket Call" efforts to reduce the resulting severe case log jam. While this procedure has allowed effective management in these three divisions, the effort is ineffective in terms of judicial support and personnel time. The loss of judicial and support personnel time in traveling the distances involved reduces the opportunity for effective case management while away from the home division. However, through extra effort these divisions are able to adequately maintain statistics on closings near or in excess of the national average.

In the Houston - Galveston divisions other special geographical problems surface. Approximately 90% of all civil cases filed in the Southern District of Texas occur within these two divisions. The area is characterized as one of the fastest growing metropolitan centers in the nation, with an extremely healthy prospect for continued economic and industrial growth. Many large corporations are relocating to the area, bringing highly complex civil litigation in their trail wind.

Houston - Galveston population growth between 1970-1983 reflects a 56% increase, with a projection of 3,945,096 (82%) for 1985. Houston continues to lead the nation in construction activity for the past five (5) years. The 29,398 permits issued for new construction totaled $2,858,660,800.00, an increase of 28.9% from the previous annual record established in 1980. The Houston - Galveston area leads the South and Southwest in retail sales volume, and has the highest growth rate in retail sales among the nation's 24 metropolitan areas with more than 1.5 million population. Total retail sales in the area increased 89.5% during 1977-1981, and are projected to rise another 90.7% during 1981 to 1986. Houston is a major center of international business activity. More than 400 Houston companies maintain over 2,700 foreign offices in 110 nations. The number of foreign-owned firms located in the Houston area has nearly tripled since 1976 with over 600 foreign firms now operating in the Houston area.

Unemployment in Houston for the past year was 6.5% of the total available work force. Annual average employment rose 2.7%. Motor vehicle registration has more than tripled since 1960, and rose 5.8% last year. Houston ranks third among U. S. ports in total tonnage, and is first in foreign tonnage. Five (5) major rail systems operate 14 lines of mainline track radiating from the city. Approximately 50 common carrier truck lines operate daily schedules serving the Southwestern distribution center and provide routes throughout the state and nation. The Houston area is one of the nations most important oil and gas transmission centers. Of the nation's 25 largest pipeline companies that move natural gas, 10 are headquartered in Houson. The area airports had an annual increase of 10.7% in passenger traffic. Houston International Airport domestic passenger traffic ranked thirteenth among U. S. Airports, and ranked seventh in foreign passenger traffic. It is sufficient to say that the Houston - Galveston area has become the aerospace center for the nation. All this activity augers itself to a sustained level of complex and multifaceted litigation, as reflected by the increased caseload of 65% over the past year.

Further complicating the free movement of litigation in the Houston - Galveston divisions is the fact that approximately 24,105 of 36,210 (67%) of state prisoners are housed within Texas Department of Corrections facilities which are located within the jurisdiction of these two divisions. The voluminous prisoner litigation comes primarily through the filing of civil rights complaints currently comprising a pending caseload of approximately 561 civil rights (1983) cases. In addition, there are currently pending 394 habeas corpus cases and an additional 23 miscellaneous filings, for a total of some 978 cases. This represents an increase of 11% over the previously reported data. Since most prisoners file as pro se litigants, a tremendous amount of time is required in screening and processing these "non-professional cases". The appointment of counsel is prohibited by sheer volume and economic factors.

SOLOMON P. ORTIZ
27TH DISTRICT, TEXAS

1524 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
202-225-7742

DISTRICT OFFICES:
3649 LEOPARD SUITE 510
CORPUS CHRISTI, TEXAS 78408
512-883-5868

3505 BOCA CHICA BOULEVARD, SUITE 438
BROWNSVILLE, TEXAS 78521
512-541-1242

Congress of the United States
House of Representatives
Washington, D.C. 20515

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MERCHANT MARINE
PANAMA CANAL AND THE OUTER CONTINENTAL SHELF
SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

January 24, 1984

Chairman Charles Rangel
Select Committee on Narcotics
  Abuse and Control
H2-234 HOB Annex 2
Washington, D.C. 20515

Dear Mr. Chairman:

I have enclosed an article which appeared in the January 16, 1984 issue of the Corpus Christi Caller, regarding the reactivation of the Coastal Bend Major Crimes Task Force.

Reactivation of the task force is a first, and extremely important, result of last month's hearings in Corpus Christi. As the article indicates, the task force was originally formed in 1978 and disbanded in 1981.

Nueces County Sheriff James Hickey spearheaded the movement to reactivate the task force and it is my strong belief that his decision was a direct result of the Corpus Christi hearings.

I want to, again, extend my deepest appreciation and thanks to both you and your staff. As a result of your support and efforts, the drug problems in South Texas will receive desperately needed attention.

With warm personal regards, I am

Sincerely,

Solomon P. Ortiz
SOLOMON P. ORTIZ
Member of Congress

SPO:mlm
Enclosure

1/16/84 CC Caller Front Local

Crime task force renews drug fight

By LINDA CARRICO
Staff Writer

The Coastal Bend Major Crimes Task Force is being reactivated in an attempt to combat the increasing narcotics trafficking throughout South Texas, Nueces County Sheriff James T. Hickey said.

The reorganization of the task force — comprised of law officers from 13 counties — will allow lawmen to cross jurisdictional lines to investigate and arrest those persons suspected of narcotics smuggling, Hickey said.

"The task force is a working federation of counties and municipalities with the purpose of investigating major crimes, principally narcotics smuggling," Hickey said.

"It will allow for the maximum use of resources — the manpower of all departments participating as well as providing latitude in movement throughout the area," Hickey said. "Since narcotics traffickers don't stop at county lines, we need flexibility to move with the investigation."

The task force, however, won't become involved in a case until a county sheriff or city police chief has asked for assistance, Hickey said.

"A particular sheriff or police chief may need additional manpower, or equipment he doesn't have or the expertise in a certain aspect of the investigation," Hickey said. "It will be a pooling of talent which will be made available to all of us."

Mathis, Orange Grove and Kenedy, Hickey said.

Other cities expected to join the task force are Freer, Port Aransas, Corpus Christi, Kingsville, Rockport, Refugio, Goliad, Portland, Sinton, Beeville, Gregory, Taft, Karnes City, San Diego, Three Rivers and Raymondville.

While all member cities and counties will benefit, Nueces County stands to benefit the most from the task force's work, Hickey said.

"Whatever comes into Nueces County first hits the ground in the outlying districts," Hickey said. "Aircraft carrying narcotics usually land in the more sparsely populated counties where there is a great amount of rangeland. But those narcotics find a way to Nueces County in smaller loads usually by vehicles."

But Hickey said narcotics are a problem for the entire area and the problem must be attacked jointly.

As an example of how the task force can assist in drug cases, Hickey recalled a raid made by Live Oak County Sheriff Larry Busby three months ago in which 700 pounds of marijuana was confiscated.

Investigators said the raid was a success, but added that the aircraft transporting the marijuana and a pickup truck carrying an additional 700 pounds of the weed escaped capture.

The task force originally was formed in November 1978 through the efforts of then-Nueces County Sheriff Solomon Ortiz. The 10-county task force disbanded in early 1981.

Hickey spearheaded the movement to reactivate the task force. He is chairman of the task force's board of governors, which is responsible for task force operations. Kleberg County Sheriff Jim Scarborough is vice chairman.

"We felt there was a crying need to have this," Hickey said of the task force's reactivation. "We know that narcotics are coming in great bulk to South Texas. All sheriffs and police administrators in the area know they need help with this problem."

Eleven counties have received authorization from their commissioners courts to participate, Hickey said. They are Nueces, Kleberg, San Patricio, Live Oak, Brooks, Jim Wells, Bee, Duval, Karnes, Jim Hogg and Willacy counties.

Other counties expected to join are Aransas, Goliad, Refugio and Kenedy counties, he said. Hidalgo and Starr counties are considering it, Hickey said.

Cities that are members include Alice, Robstown, Bishop, Falfurrias, Premont, Aransas Pass, Ingleside,

"Busby didn't have the personnel available to set up surveillance in the area or to intercept the load," Hickey said.

Each sheriff and police chief will assign officers to work in the task force. The officers perform their normal duties, but may be called into investigations in other counties, Hickey said. The officers will be paid by the cities and counties that employ them.

Despite his own manpower shortage in the Nueces County Sheriff's Department, Hickey said he will assign several deputies to participate in the task force.

"I feel it is so important to join in the activities since the task force can net more confiscated narcotics in one operation than what my deputies can do in a whole year," Hickey said.

He said the task force will receive investigative assistance from several federal agencies, including the Drug Enforcement Administration and the Coast Guard.

Hickey said some snags still need to be resolved.

He said the task force needs a "flash fund" to entice narcotics dealers and cash for undercover officers to buy the drugs. Part of the $5,000 in the Nueces County Task Force Imprest Fund may be used for those purposes, he said.

Raul Arevalo, Sr.
SHERIFF
WILLACY COUNTY COURTHOUSE
RAYMONDVILLE, TEXAS 78580

Mr. Richard B. Lowe III
Chief Counsel
House Select Committee on Narcotic Abuse and Control
Room 234
House Office Annex II
Washington, D.C.

Dear Mr. Lowe,

I recently received a telephone call from Respresentative Ortiz's office requesting I attend a hearing in Corpus Christi, Texas on "Drug Trafficking and Abuse on the Texas Gulf Coast." I received a letter Monday of this week stating that due to the large amount of witnesses contacted it would be impossible for all of us to tesitfy at the hearing. It was requested that we submit to you our written testimony.

I am enclosing a proposal we submitted to our County Commissioners Court approximately four years ago. The request was turned down but as you can see from the figures we had a tremendous problem then, and if anything it has gotten worse.

We work closely with the State Police Narcotics people but there's so much going on that they don't have the manpower or the time to work on the cases. Also a lot of our cases involve smaller amounts of drugs and they usually only work cases with larger amounts.

We average 3-4 cases a week just off expressway 77 alone. This does not include air traffic, boat traffic, or local people. So you see we do have somewhat of a problem. We do have Drug Abuse programs that we make available to the schools, civic groups, etc., and they help but the trafficing still continues.

During 1983 alone so far 149 people have been processed through our facility on drug charges. Of those 149 people, 98 were passing through and 51 were arrested locally. So you see even though we're a small community there is an enormous amount of drug traffic. Also bear in mind these figures show only those caught, so you can imagine what is getting through.

I hope this information will be of some assistance to the members of your committee. If you need any more information or if I can be of further assistance, please do not hesitate to call on me. This is a very serious problem, one that I am not only very concerned about but also very involved with.

If there is some type of report that will be made available as to the findings of your committee, I would appreciate it if I could obtain a copy of the report.

Respectfully submitted,

Larry G. Spence

Larry G. Spence Chief Deputy
Willacy County Sheriff's Dept.
Raymondville, Texas 78580

DRUGS IN WILLACY COUNTY

Drug misuse, or abuse, is found in every sector of society. It occurs increasingly in affluent suburbs, as well as in the middle-class or poor areas. It is becoming a tragic commonplace in schools, colleges, and also in industry. As our daily papers tell us all too clearly, it is a particular problem among our young people. We have laws designed to help control the drug problem, but they do not eliminate or prevent it. Education is needed also. Before there can be effective control, there must be widespread understanding by the people of the possible tragic effects of drug misuse on mind and body.

Here in Willacy County we have a two fold problem. First, we have the regular drug trafficking and over the past few years it has risen to a very serious situation. You need only drive down Hidalgo Avenue from the roadside park to the freeway on a warm Saturday night to see the problem first hand. Approximately 250 to 300 cars are involved in the "Parade", with an average of 2.5 persons per car. There are about 750 people involved. Of those 750, about 60% (or 450) will have been in contact with drugs (smoked, dropped, bought, sold, or been in the car with someone who did) before the night is over. Beer is seen everywhere. It is used to "cover" intoxicating effects of Marijuana and other drugs, and as an amplifier of drugs effects.

Second, we have one of the two main highways leaving the valley going through our County. Willacy County is unique in its geographic position on Highway 77. The transportation of drugs through our County to points North are of great abundance. It is the last stop before the long 52 miles of ranch isolation. Because of this, illegal drugs going North will many times be transferred from one vehicle to another in case they have been spotted in getting this far. This is one of the primary reasons that the D.P.S. Task Force has made so many arrests with large quantities of Marijuana. A portion of the drugs are staying here for use or sale by residents of our County. Our crime rate has risen because of the drug traffic. Most of our thefts and burglaries are committed to obtain merchandise to sell or trade for drugs.

Problems have begun to arise in the school systems; not just the High Schools, but the lower grades, as well. A program of Law Enforcement and Education is needed, and needed now. The problem is already a serious one and we don't want it to reach epidemic proportions. Therefore, we propose the following program, which we believe will help to lesson and perhaps eliminate a major problem in our County before it gets too far out of hand.

The four school districts in the County have begun having serious problems with drugs. These have been handled by the school authorities up to now, but the volume and seriousness of the drug violations can no longer be left to Counselors and Principals. They must be handled by Peace Officers and Judges. There is not enough training program to inform teachers of the symptoms of drug abuse or the identification of dangerous drugs.

The majority of the teachers could not identify marijuana if they were to see it. Students have no credible source of drug information. Many times, streetwise students have better knowledge of drugs than law enforcement instructors and teachers.

It has been projected that on a typical High School campus approximately in every ten students, eight have used a "Dangerous Drug"; five are regular users; three are physically or psychologically dependant and one is a pusher, or supplier. Junior High has shown a great increase in the usage of drugs. Drugs have also been detected in Grammer School. With nearly 600 sq. miles and a little over 1000 miles of road in the County, it is difficult to provide basic security with only seven Deputies. It would not be possible to assign any of these men to work full time on drug traffic without leaving some intolerable lapses in security. We have always been able to call upon the State D.P.S. Task Force or the Federal Drug Enforcement Administration for assistance in the past. We still can, but only for very large (several hundred pounds or several thousand pills) cases, and most recently, they are so understaffed that they are asking for us to work on their large cases whenever they involve Willacy County.

II GOALS AND INDICATORS

It will be the goal of the proposed drug enforcement team to actively pursue cases on a Full-Time basis, and to work with Federal and State Drug Enforcement Agencies.

It will be necessary to develop a record system which will identify drug related cases in order that adequate statistics can be developed to show the magnitude of the problem and the progress being made to reduce drug crime.

As an initial goal it will be expected that the new team would make a minimum of 25 drug related arrests in the first year. Additionally, it would be expected that burglaries, thefts and other drug related crimes would be reduced 20%, or more, within the first 12 months.

It will also be a goal of this team to raise public awareness of the problem by working with the service clubs of the community and with the school districts to contact large numbers of young adults.

III METHODOLOGY, ORGANIZATION AND COORDINATION

The Drug Enforcement Team will consist of four Deputies and a team leader organized under the Sheriff and responsible to him. The team will address itself exclusively to Drug related cases and will cooperate with other Local, State, and Federal Authorities.

A program of prevention will be developed along with the standard detection, apprehention, prosecution methodology. The prevention program will consist of a series of programs tailored to service club presentations, a Seminar for Teachers, and a program of up-to-the minute information for students, including question and answer sessions.

IV PROPOSED BUDGET

The following is the proposed budget for the first year of operation of the Drug Enforcement Team.

PERSONNEL

Salaries: 5 Deputies	$60,000.00
Training	1,000.00
Expenses	1,000.00
Professional and contact services	1,000.00

EUIPMENT

Automobiles (2) plus oper. Exp.	10,000.00
Radio Equipment	5,000.00
Misc.-Tape recorder etc.	1,000.00

FUNDS

"Buy" Fund	5,000.00
"Snitch" Fund	5,000.00
	89,000.00

VI IMPLEMENTATION SCHEDULE

Hire/Assign Officers	four months plus schooling
Obtain Autos	four months
Obtain Equipment	four months
First Full Deployment	four months
First Year Detailed Report	one year

SUMMARY

The Drug Problem is epidemic and growing fast. Street drug traffic has become enormous and because of our geographic location transient drug traffic is heavier than other communities. Our schools can no longer handle drug violations as discipline problems.

A Drug Enforcement Team is needed, organized and working under the supervision of the Sheriff. The team would consist of a team leader and four deputies working exclusively on drug related cases. The Team would be equiped with two cars and operate from seperate office in the Correction Facility Building.

Funding of approximately $89,000.00 and about four months lead-time would be necessary to the first full deployment.

Strategies for Drug Control Efforts

In July 1982, at the Annual Meeting of the Southern Governors' Association in Hilton Head, South Carolina, the southern governors agreed that international drug trafficking has become an issue of major regional concern. Governor Lamar Alexander of Tennessee and Governor Bob Graham of Florida invited governors and state law enforcement officials to a special meeting in Nashville, Tennessee to discuss strategies for handling drug trafficking problems. The results of that meeting, held in September 1982, were eight policy recommendations for states to enhance drug control efforts. These recommendations subsequently received unanimous concurrence from all participating states.

On October 14, 1982, President Reagan announced his national initiatives to combat drug smuggling and organized crime. These initiatives are consistent with the recommendations developed by the governors in Nashville.

An ad hoc staff group of the National Governors' Association (NGA) met in Washington, D.C. on November 18, 1982, to define the role of the *Governors' Project* included in the President's initiatives. The group also agreed to work with staff of Governor Bob Graham of Florida to prepare an implementation strategy for the eight policy recommendations approved by the southern states. On January 13, 1983, Commissioner Robert Dempsey of the Florida Department of Law Enforcement presented an implementation strategy to the ad hoc committee for their review and comment. The southern governors wish to express their appreciation to the members of this committee for their willingness to work on this endeavor.

Upon adoption of the implementation strategy by the NGA, a steering committee should be appointed immediately to oversee and ensure implementation. This steering committee should submit an annual report to the NGA on progress related to these initiatives.

Both the President's and the governors' recommendations indicate that it is imperative that implementation of drug strategies be closely coordinated among the states and at the federal level.

Executive Summary

The following is a plan for implementing recommendations for drug control that was drafted by an ad hoc group from the NGA in January 1983. The following eight items were identified as needed for better drug control in the United States:

1. **Increased educational efforts**, including the establishment of blue ribbon commissions in each state and a federally-sponsored national education program;
2. **Intensified eradication and interdiction, i.e., military/naval assistance to state and local governments**, focusing on the destruction of drugs at their source, foreign or domestic, and on an increased military commitment to the interdiction of drugs being imported by air or sea;
3. **National reaction**, encouraging the continuation of the Bush Task Force and the twelve regional task forces;
4. **Centralized information and intelligence data base**, combining and coordinating data from local, state, multi-state and federal sources;
5. **Concerted street enforcement activity**, urging stronger support for local law enforcement agencies' drug control personnel and equipment;
6. **Standard legislation**, to be developed in each state and through a national committee formed for this purpose;
7. **Greater prosecutorial commitment**, with the same priority given to drug cases as to other priority areas; and
8. **Coordination of efforts of local agencies**, enabling agencies to pool information and resources for maximum effort.

Each recommendation is accompanied by specific suggestions about actions governors might take or support. There is also a comment on the fiscal impact of each recommendation and ways in which this might be minimized.

A list of presidential initiatives that were not among those developed by the NGA, but which nevertheless deserve gubernatorial support, is included at the end of this document.

The Governors' Issues

1 Need for Increased Educational Efforts

The problem of drug abuse in our society is related to so many factors that it cannot be successfully addressed by any single discipline. A consistent exchange of information and ideas among the various disciplines that can affect consumer demand does not exist. The ultimate long-term success of drug control efforts is not possible without a marriage of these disciplines, supported by an educated and involved public.

Recommendation

Each state should consider the establishment of a Blue Ribbon Statewide Drug Education Commission involving leaders from the public and private sectors. This Commission should consist of high-level representatives from a cross section of disciplines including law enforcement, prosecution, judicial, educational, medical, legislative and citizen/parent/young people groups.

Implementation Strategy

- Each governor should consider appointing representatives from a cross section of the public and private sectors to a Statewide Drug Education Commission. It is imperative that the membership comprising this Commission be committed to and aggressive toward accomplishing the goals established by this recommendation. The Commission should direct efforts toward:
    - *Private Industry:* Providing crime-specific information, identifying industry prevention programs and funding sources, and integrating mutual industry/citizen/enforcement activities.
    - *Public Awareness and Concern:* Coordinate and organize citizens' groups and programs; develop citizens' prevention program models; develop media campaigns' "technology transfers"; and integration with civic and church groups, industry, education and enforcement. The Commission should consider the "Texas War on Drugs" program, which has established itself as a model in this area.
    - *Public School Education:* Assist the Department of Education in developing and presenting more relevant, positive and proactive curricula in law-related education.
    - *Law Enforcement, Community Organizations and Neighborhood Coordination:* Provide training to law enforcement personnel in order to promote more effective integration of enforcement agencies with community educational activities. Existing crime prevention and other local networks should be recognized and used.
- Governors should urge that a national effort, adequately staffed, be undertaken to develop program models and information services for the individual states.
- Governors should urge that the federal government develop and implement a national education program. In this regard, the President has recommended that emphasis be placed on training of state and local law enforcement personnel. Governors should be encouraged to support this initiative.

Fiscal Impact

The fiscal impact of educational efforts can be minimized by turning to the private sector for executive resources, fund raising activities and creative talent. Membership on the Blue Ribbon Commissions would be voluntary. States could also save resoures by promoting drug education through existing citizen networks, such as those addressing crime prevention.

2 Need for Intensified Eradication and Interdiction: Military/Naval Assistance to State and Local Governments

The federal government has exclusive responsibility for coordinating interdiction of drug shipments from foreign countries and assisting those countries in the eradication of drugs at the source. As a result of intensive lobbying, three significant developments have occurred over the past year that have had a positive impact on eradication and interdiction efforts: (1) relaxation of the *Posse Comitatus* doctrine, allowing the military to provide assistance to civilian law enforcement agencies; (2) the removal of the Percy Amendment to the Foreign Assistance Act, which prohibited foreign governments from receiving assistance from the U.S. government if herbicides were used to control illicit drugs; and (3) the recent efforts made by the national administration to support eradication efforts in foreign countries.

Recommendation

The federal government should adopt, as its top drug control priority, the eradication of illicit drugs in source countries and the interdiction of drugs leaving those countries.

The United States should continue encouraging foreign governments to employ eradication methods, including herbicidal applications, and should continue to absorb or contribute to the costs of some of the more critical programs in significant source countries. In addition, the military forces of the United States should be called upon to make a *major* commitment to increase their level of support in the interdiction effort.

Implementation Strategy

☐ Governors should consider adopting a resolution to Congress and the President to urge the federal government:

- to keep as one of its top drug control priority programs the eradication of drugs at source countries and to continue to provide adequate funding in subsequent years.
- to develop improved eradication techniques.
- to continue to contribute to the cost of these control efforts.
- to continue to encourage other countries to utilize eradication methods.

☐ Keeping in mind the tremendous increase of domestically grown marijuana and clandestine manufacture of dangerous drugs, governors should support eradication efforts and the development and application of innovative measures within their states to combat these activities.

☐ Governors should urge the national administration to expand the role of the military forces of the United States in air and sea interdiction efforts. This increased role should include all regions of the country.

☐ Governors should encourage their state and local law enforcement agencies to work closely with and seek assistance from the military forces of the United States and develop plans with military forces to coordinate efforts against drug trafficking.

☐ Governors should encourage their respective congressional delegations to provide sufficient funding to the military to offset the costs involved in participating in civilian drug control efforts.

☐ The governors should consider having the National Guard and all other appropriate resources work with state and local law enforcement agencies in drug interdiction and eradication programs.

Fiscal Impact

States implementing eradication efforts will experience costs. Cooperation with federal eradication efforts is encouraged to minimize those expenditures. Costs may also be associated with National Guard activities aimed at assisting state drug law enforcement. These costs can be minimized, or possibly eliminated, by conducting National Guard drug enforcement activities in conjunction with regular Guard training exercises.

3 Need for A National Reaction

Over the past decade, numerous states have been hurt by the growing drug problem. These states have taken independent steps to combat the problem; however, their resource limitations and geographic restrictions have hindered the states' effectiveness. The federal government, realizing the national ramifications of the drug problem, has conducted several significant operations that have lessened these restrictions and limitations, such as the recent Bush Task Force in South Florida and the creation of twelve regional task forces.

Recommendation

The federal government should be encouraged to maintain on a permanent basis the federal resources associated with the original Bush Task Force and twelve new task forces.

Implementation Strategy

☐ Each governor should urge his/her respective congressional delegation to maintain and continue support of the original Bush Task Force and the twelve new regional drug task forces.

☐ The governors should urge that top White House and Justice officials meet twice yearly with selected governors from the NGA to discuss policy issues of mutual interest related to drug trafficking.

☐ Governors should support the Presidential Commission on Organized Crime, which will be in operation for three years. Membership of this commission should include a representative of the NGA.

☐ Governors should request the Department of Justice to include state representatives having policy-making or operational responsibilities in drug enforcement on the internal group responsible for administering the regional task forces. Further, that these representatives have appropriate decision-making status in the group within parameters of state-related responsibilities. Further, that each governor should appoint a state drug enforcement coordinator to meet with the lead administrator of the respective task force on a specific periodic basis.

☐ The governors should communicate with their respective state and local law enforcement officials to actively support the President's initiative.

☐ Governors should consider actively soliciting public support of these initiatives through speeches, media and other public information resources.

☐ Governors should, through their respective legislatures, ensure that adequate resources are available for states to coordinate effectively with and complement the federal task force efforts.

Fiscal Impact

Each state must analyze its investments to ensure that it is taking a balanced approach to drug law enforcement. A state's investment priorities should reflect the seriousness of the drug problem in that state.

4 Need for A Centralized Information and Intelligence Data Base

Law enforcement agencies involved in drug control have historically been hampered by lack of accessible and assessable intelligence information relating to illegal trafficking. A centralized system to receive, analyze and disseminate information among state and local law enforcement agencies must exist if proactive, non-duplicative and significant targeting efforts are to occur. Such a system must interact with similar systems in other states and with the federal government.

Recommendation

Each state must establish a centralized drug-related intelligence system. To be effective, the individual systems must ensure input from and response to local enforcement agencies and should interact consistently with appropriate state and multi-state systems and the Drug Enforcement Administration's El Paso Intelligence Center (EPIC).

Implementation Strategy

- ☐ Governors should direct their primary state drug enforcement agency to begin the development of a statewide drug-related intelligence system, with analysis and targeting capabilities. These systems should be joined with the other appropriate state, multi-state and federal intelligence systems.
  - States that possess such systems should share concepts, ideas and technologies with other states.
  - States should ensure that these systems provide the information to all local law enforcement agencies within their respective states.
  - The individual states should ensure that their systems are linked with appropriate systems in other states, as well as with multi-state and federal intelligence systems.
- ☐ Governors should recommend that their appropriate law enforcement agencies develop a mandatory drug statistics reporting system relevant to the measurement of the drug problem and the impact of enforcement efforts.

Fiscal Impact

Costs associated with establishing or enhancing state intelligence systems will vary from state to state. Purchasing a new computerized system, including both hardware and software, is an expensive process. Where computer systems are already in place, such as in those states where responsibility for collecting UCR data is at the state level, costs may be limited to developing necessary software. Some personnel enhancements may also be necessary.

5 Need for Concerted Street Enforcement Activity

Local law enforcement agencies must provide the immediate response to a variety of community demands for crime control. It is difficult for those agencies to dedicate already strained resources to proactive drug prevention and enforcement problems. However, the real direct and indirect drug-related crimes must be dealt with constantly as a part of the required law enforcement response to the community. This response is as adamantly demanded as are responses to violent crime areas.

Recommendation

Governors and legislators of the various states should apply maximum support and effort toward increasing resources (personnel and equipment) of local law enforcement agencies.

Implementation Strategy

- ☐ Governors should consider alternative funding options, such as private sources (foundations, etc.) or via legislative mechanisms such as fine and forfeiture allocations specifically earmarked for drug control enforcement programs.
- ☐ Governors should promote adequate federal and state support of local law enforcement agencies. Because the drug problem is one of national scope, federal resources are needed to support critical or extraordinary state and local enforcement efforts. Governors should also stress to local leaders their support for the allocation of needed resources to conduct drug enforcement programs, joint operations and cooperative efforts.

Fiscal Impact

State government statistical systems must provide governors with adequate assessments of local drug trafficking problems. Resource support will vary from state to state depending upon the magnitude of the problem, i.e., border state, source state, major distribution point, etc. Governors should assess existing investments to ensure they are addressing the problem as a priority matter. In particular, border states must dedicate a portion of available new resources to the priority problems of drug trafficking and distribution.

6 Need for Standard Legislation

There is great disparity among the states' drug laws. There is evidence that smuggling organizations have taken advantage of some states' deficiencies in legal recourse and probabilities of detection, apprehension and prosecution.

Recommendation

Each state should establish a legislative committee of prosecutive, enforcement, judicial and legislative members to examine and develop a comprehensive system of model and uniform laws dealing with the drug problem. The state bar associations and law schools should be included in this effort. This committee can be a separate entity, or a part of an existing statewide drug activity.

Implementation Strategy

- The Governors should consider the establishment of a committee operating within their respective states to examine existing legislation and determine that state's needs.
- A National Committee should be created, reporting to the NGA Committee on Criminal Justice and Public Protection. This committee will develop a comprehensive system of model and uniform laws dealing with the drug issue and will disseminate the model drug legislative package back to the respective states for their consideration.
- The Governors should see that the federal government assign appropriate representatives to this National Committee to promote uniformity of state and federal laws and serve as a mechanism to transmit states' concerns to the federal legislative process.
- The National Committee should consider at least the following items for the model legislative package:
    - *Racketeer-Influenced and Corrupt Organizations Act (RICO):* providing for the prosecution of entire criminal organizations and civil forfeiture of real and personal property used in the course of, or acquired with the proceeds of, their criminal activities.
    - *Drug Trafficking Laws:* providing appropriate sentences for drug violators and a graduating scale of penalties commensurate with the seriousness of the violation, and permitting consideration of foreign felony drug convictions in sentencing drug law violators.
    - *Wiretaps:* providing for court-authorized interception of telephonic communications between drug law violators.
    - *Mutual Aid:* providing for definitions of interjurisdictional authorities, liabilities, agreements and resource exchanges within and among the various states.
    - *Mandatory Reporting of Currency Transactions:* requiring financial institutions' reporting of certain transactions to the states. The statute of limitations must provide sufficient time to allow full use of complex law enforcement techniques before arrest.
    - *Conspiracy Provisions:* providing for charging those who direct or participate in drug smuggling ventures to be sentenced as principals.
    - *Mandatory Reporting of Drug Statistics:* to a central entity both within the states and at the federal level to reduce duplicate reporting and to establish a valid data base for problem assessment and resource allocation.
    - *Contraband and Asset Forfeiture Reform:* with application of fines and forfeitures being applied directly to law enforcement programs, i.e., through trust funds.
    - *State Department of Revenue Files Access:* providing for access, with appropriate safeguards, by law enforcement agencies.
    - *Witness and Victim Protection:* providing authority and funding required and making it an offense with significant punishment to annoy or injure a witness or victim involved in the criminal justice process.
    - *Bail Reform:* to more certainly immobilize drug traffickers with less judicial discretion, i.e., where smugglers are known to travel internationally or where violence is predictable.
- Governors should urge that the Congress remove restrictions, with appropriate safeguards, that prevent the Internal Revenue Service from sharing intelligence regarding criminal activities with state and local authorities.
- The President has asked the Congress to continue its efforts to seek passage of essential criminal law reforms. The specific laws mentioned were bail reform, forfeiture of assets, sentencing reform and amendments to the exclusionary rule. The governors should consider supporting the President's initiative in seeking passage of these essential reforms and ensure that these issues are coordinated with similar state legislation reform efforts.

Fiscal Impact

There are minimal state costs associated with this activity.

7 Need for Greater Prosecutorial Commitment

Prosecutors are hindered by heavy court dockets and broad responsibilities that make it difficult for them to dedicate resources to the prosecution of major drug smuggling operations. Alternative approaches to drug prosecution and better coordination among circuits dealing with multi-jurisdictional organizations are needed. Prosecutors should take steps to expedite drug enforcement cases, as has been done successfully in cases involving career criminals. Additional resources are needed for prosecution of highly financed and well-defended drug organizations.

Recommendations

Governors of the various states are urged to encourage prosecutors to include drug cases as a part of their jurisdiction's priority prosecution/career criminal programs.

Governors should develop programs that will attract and retain competent prosecuting attorneys.

Implementation Strategy

☐ Governors should seek strong commitments from their respective legislatures to ensure that prosecutive offices are given the necessary support to recruit and retain qualified prosecutors for specific assignment to drug cases.

☐ Governors should urge that state prosecutive officials coordinate with federal task forces and U.S. Attorneys to minimize duplicative efforts and maximize the impact of prosecutive efforts. This effort should include the newly established Law Enforcement Coordinating Committees (LECC) and other recognized processes created to provide mutual federal, state and local assistance.

☐ Governors should encourage state and local prosecutors to assume leadership in the development and coordination of priority drug investigative efforts and priority prosecution strategies, and urge implementation of special judicial processes that guarantee fair and speedy adjudication of major drug cases.

Fiscal Impact

Direct state jurisdiction over prosecution responsibilities vary from state to state. Where career criminal programs have been implemented throughout the state, major drug cases should be handled on the same expedited basis as a way of establishing priorities and minimizing expenditures associated with prosecution. This effort should include development and implementation of procedures for handling prosecution of both career criminal and major drug trafficking cases on a priority basis. Where prosecution is a shared responsibility of the state and local governments, all levels should work together to expedite the prosecution of career criminals and drug trafficking cases. Most costs associated with a new emphasis on the prosecution of drug cases will be for personnel.

8 Need for Coordination of Efforts of Local Agencies

There is generally no mechanism to provide for local, state agencies to pool their resources and work together on common drug targets. Equipped with the necessary legislation, agencies can draft contractual agreements to effect "joint force operations" or "mutual aid pacts" to expand resource and jurisdictional abilities to attack drug operatives.

Recommendation

The various states should consider development of necessary legislation to develop a "mutual aid system", whereby law enforcement agencies can contractually join together and pool their knowledge, resources and skills toward investigatively attacking drug smuggling networks.

Implementation Strategy

☐ The Governors should consider, as referenced in the legislative reform section, the development of "mutual aid" legislation to ensure that the law enforcement agencies within and among the various states can contractually join together to effect joint force operations.

☐ The Governors should ensure that the lead state law enforcement agency coordinates with local law enforcement agencies so that their operational concerns and initiatives are effectively coordinated with federal task force efforts.

Fiscal Impact

Development of "mutual aid" systems will require a dedication of time by existing personnel and minimal support resources.

Additional Presidential Initiatives

In addition to the recommendations made by the President that have been included in the previous discussions, the following presidential initiatives are also worthy of strong support by the NGA.

☐ The President has called for a Cabinet-level Committee on Organized Crime, chaired by the Attorney General, to review and coordinate all federal efforts against organized crime.

☐ The President has requested that the Attorney General prepare an annual report to the American people to report on progress and needs in the drug fight.

☐ The President has requested that additional prison and jail space be provided to meet the need caused by the creation of the twelve task forces.

☐ The President recommends that emphasis be placed on training of state and local law enforcement personnel.

PREPARED STATEMENTS

OPENING STATEMENT

BY

CHAIRMAN CHARLES B. RANGEL

SELECT COMMITTEE ON NARCOTICS

ABUSE AND CONTROL

U.S. HOUSE OF REPRESENTATIVES

HEARING ON

DRUG TRAFFICKING AND ABUSE

ON THE TEXAS GULF COAST

DECEMBER 12-13, 1983

CORPUS CHRISTI, TEXAS

GOOD MORNING COLLEAGUES, DISTINGUISHED WITNESSES AND ALL OF YOU CONCERNED ABOUT THE AWESOME PROBLEMS OF DRUG TRAFFICKING AND DRUG ABUSE THAT FACE OUR NATION TODAY.

THE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL IS IN CORPUS CHRISTI TODAY WITH AN IMPORTANT MISSION. WE HAVE COME HERE TO EXAMINE DRUG TRAFFICKING AND ABUSE ON THE TEXAS GULF COAST.

WE RECENTLY COMPLETED HEARINGS IN OCTOBER IN FLORIDA AND LEARNED OF AN ENORMOUS INFLUX OF DRUGS FROM SOUTH AMERICA, AND OF THE FEDERAL INTERDICTION EFFORT TO COUNTER THIS INFLUX OF ILLEGAL DRUGS. THERE ARE REPORTS THAT BECAUSE OF THE INCREASED FEDERAL PRESENCE AND EFFORTS IN SOUTH FLORIDA DRUG TRAFFICKING HAS MOVED UP THE EAST COAST AND TO THE GULF COAST. WE WANT TO DETERMINE WHETHER THIS IS TRUE, AND IF SO, WHAT OUR RESPONSE HAS BEEN AND WILL BE IN THE FUTURE.

THE COMMITTEE'S HEARING WILL ALSO FOCUS ON THE NAGGING, PERSISTENT PROBLEM OF SMUGGLING OF HEROIN FROM MEXICO INTO OUR COUNTRY. THE SELECT COMMITTEE ON NARCOTICS RECENTLY COMPLETED A STUDY MISSION TO MEXICO AND SOUTH AMERICA. MEXICO IS ONE OF THE FEW COUNTRIES TO COMMIT NOT ONLY ITS RESOURCES BUT ITS WILL TO HALTING ILLEGAL DRUG PRODUCTION AND TRAFFICKING. HOWEVER, THE FLOW OF ILLEGAL NARCOTICS FROM MEXICO AND OTHER SOUTH AMERICAN COUNTRIES IS STILL A PERSISTENT PROBLEM.

WE ALSO WANT TO LOOK AT REPORTS OF GROWING HEROIN ADDICTION IN THE BROWNSVILLE AREA INCLUDING THE DRUG TREATMENT AND PREVENTION ACTIVITIES IN THE REGION, AND THE NEED FOR COMPREHENSIVE DRUG EDUCATION. THESE ARE

NOT JUST THEORETICAL CONCERNS. IN 1982, THE LAST YEAR FOR WHICH FIGURES ARE AVAILABLE, THERE WERE 1,735 DRUG ABUSE-RELATED EMERGENCY ROOM EPISODES IN DALLAS, WHILE IN SAN ANTONIO IN 1982 THERE WERE 1,226 EMERGENCY ROOM EPISODES. THE MEDICAL EXAMINER IN DALLAS IN 1982 REPORTED 47 DRUG-RELATED DEATHS. IN SAN ANTONIO, THERE WERE 46 DRUG-RELATED DEATHS. THESE FIGURES GRAPHICALLY SHOW THE SERIOUSNESS OF THE DRUG ABUSE THREAT.

AFTER HEARING FROM LUTHER JONES, THE MAYOR OF CORPUS CHRISTI, WE WILL RECEIVE TESTIMONY FROM VARIOUS FEDERAL OFFICIALS REPRESENTING THE SPECTRUM OF FEDERAL CONCERN ABOUT ILLEGAL DRUG TRAFFICKING AND DRUG ABUSE. THE FEDERAL WITNESSES WILL RANGE FROM MR. DANIEL HEDGES, THE U.S. ATTORNEY FOR THE SOUTHERN DISTRICT OF TEXAS, TO REAR ADMIRAL WILLIAM STEWART, THE COORDINATOR OF THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM FOR THE GULF REGION. FROM THESE FEDERAL OFFICIALS WE WANT INFORMATION ON THE EXTENT OF DRUG TRAFFICKING IN SOUTH TEXAS, METHODS OF OPERATION OF DRUG TRAFFICKERS, AND WHAT ADDITIONAL RESOURCES ARE NECESSARY BEFORE WE WILL BE ABLE TO MAKE A DENT IN THE PROBLEM.

WE PARTICULARLY WANT TO KNOW WHAT IMPACT FORMATION OF THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM HAS HAD ON DRUG TRAFFIC ALONG THE TEXAS GULF COAST. AS WE UNDERSTAND IT, NNBIS WAS FORMED FOR THE SPECIFIC PURPOSE OF INTERRUPTING AND IMPACTING THE SMUGGLING OF DRUGS INTO THIS COUNTRY. YET, WE HAVE QUESTIONS AS TO WHAT NNBIS REALLY IS. WHAT IS IT COMPRISED OF? HOW DOES ITS FUNCTIONS DIFFER FROM THE OTHER TASK FORCES THAT HAVE BEEN FORMED? ONE OF THE ISSUES WE WANT TO EXPLORE WITH THE PANEL OF LOCAL LAW ENFORCEMENT OFFICIALS IS THE EXTENT OF COOPERATION INCLUDING SHARING INTELLIGENCE INFORMATION THEY HAVE HAD WITH FEDERAL LAW ENFORCEMENT OFFICIALS.

THIS AFTERNOON WE WILL FOCUS ON DRUG ABUSE TREATMENT AND PREVENTION ACTIVITIES. FROM THESE WITNESSES WE WANT TO LEARN WHICH DRUGS THEY ENCOUNTER MOST FREQUENTLY IN TREATING DRUG ABUSERS, AND WHAT IMPACT PASSAGE OF THE ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH BLOCK GRANT HAS HAD ON THE AVAILABILITY OF DRUG ABUSE TREATMENT AND PREVENTION ACTIVITIES IN SOUTH TEXAS. FINALLY, WE WILL BE INTERESTED IN THEIR OPINION OF THE FEDERAL DRUG STRATEGY OF THE REAGAN ADMINISTRATION.

TOMORROW WE WILL CONTINUE OUR HEARING BY LOOKING INTO THE EFFECT DRUG ABUSE HAS ON LOCAL COMMUNITIES AND IN THE SCHOOLS. ONCE AGAIN, WE WILL EXAMINE DRUG LAW ENFORCEMENT ISSUES, THIS TIME WITH TEXAS LAW ENFORCEMENT OFFICIALS. OUR HEARING WILL CONCLUDE WITH A PANEL OF STATE REPRESENTATIVES CONCERNED ABOUT DRUG TRAFFICKING AND ABUSE AND TREATMENT.

BEFORE I CALL MAYOR JONES TO TESTIFY, DO ANY OF MY COLLEAGUES HAVE ANY COMMENTS THEY WISH TO MAKE?

Opening Statement of the Honorable Benjamin A. Gilman at the Narcotics Select Committee Hearing on Drug Trafficking and Abuse in the Texas Gulf Coast, Held at Corpus Christi, Texas, December 12, 1983

Thank you, Mr. Chairman.

I would like to associate myself with your remarks and to commend you for holding this hearing on drug trafficking and abuse in the Texas Gulf Coast area, and I would also like to commend our colleague, Congressman Ortiz, for his efforts in helping our Select Committee spotlight the drug trafficking problem in this region.

As all of us here know, narcotics trafficking and drug abuse have reached epidemic proportions both here and abroad. Unfortunately, at best, we are only beginning to make a small dent in combating this deadly menace that is undermining our political, economic and social institutions, that is creating havoc for our citizens who erroneously believe that the way to escape the pressures of society, or to seek some misguided form of relaxation, is through drugs.

Our Select Committee has been investigating areas in the Nation that are some of the "hot spots" in the trafficking of narcotics. This year, in California, we held hearings on the domestic cultivation of marihuana in that State. We saw at first-hand the massive marihuana fields and the sophisticated operations of the marihuana growers in the northern California region. In our recent investigations in South Florida, we received testimony on the corrupting effects of the narcodollars on local communities and heard State and local law enforcement officials complain that the cooperation with Federal drug law enforcement officials leaves a lot to be desired. Today we are focusing our attention on drug trafficking and drug abuse in the Texas Gulf Coast area to determine, among other things, the magnitude of the trafficking in this region and the extent to which the drug traffickers are shifting their trafficking operations from South Florida to the Texas Gulf Coast.

The proximity of Corpus Christi to the border area is also a source of concern for all of us. While the Mexican Government has been very cooperative in their efforts to eradicate the illicit cultivation of marihuana, we are receiving disturbing reports of increased trafficking in heroin, cocaine, and other dangerous substances to the United States.

This Committee and our colleagues in Congress are anxious to know how we, as a Nation, can more effectively combat the drug traffickers whose sordid business activities bring so much misery to so many of our citizens, and how we can develop more effective drug prevention, treatment and rehabilitation programs to warn our citizens, particularly our young people, of the dangers of drug abuse and to help those who have become dependent upon these deadly substances.

Mr. Chairman, we look forward to hearing from our panelists at the Federal, State and local levels to learn of their efforts to combat drug trafficking and drug abuse and what we, as legislators, can do to help them in their efforts.

OPENING STATEMENT OF THE HONORABLE SOLOMON P. ORTIZ

Good morning, I want to welcome Chairman Rangel and my distinguished colleagues to Corpus Christi. It is, indeed, a pleasure and an honor for you to be in our city. I also want to welcome those of you who have so graciously agreed to participate in this most important event.

Thank you, Mr. Chairman for conducting these hearings. Both the residents of Texas' 27th District and I deeply appreciate your willingness and that of the Select Committee on Narcotics Abuse and Control to examine drug trafficking and abuse on the Texas Gulf Coast. I also wish to express my thanks to my colleagues for joining with me in examining the issue of drug use and abuse.

The Select Committee's primary objective for the 98th Congress is the development of a "Federal Strategy For The Prevention of Drug Abuse and Trafficking." In its efforts to accomplish this goal, the committee has initiated and participated in several activities.

A series of hearings were held to evaluate the performance and effectiveness of federal drug programs and their administering agencies. The committee has also studied the domestic cultivation of marijuana. Additionally, it has examined international narcotics control programs, drug smuggling in Florida, drug treatment and prevention programs and evaluated education programs.

To assist in fulfilling the overall mission of the committee, we have scheduled these hearings in Corpus Christi. We intend to focus on several areas during the next two days. We will examine drug smuggling and trafficking in South Texas and its relationship to the nationwide distribution system; we will study the drug addiction problem in South Texas and evaluate treatment and prevention programs; and we will focus on soliciting information from administrators, educators and parents in order to develop comprehensive drug education legislation.

We are all aware of the growing problem in this area of narcotics trafficking and drug abuse. The problem affects every segment of our society -- from the very young to the very old.

The recent bumper crops of coca plants in South America and marijuana and poppy fields in Mexico, along with inadequate law enforcement at all levels, and political instability in these countries, have led to the increasing supply of narcotics available in South Texas. Because of the greater quantities, the price of the drugs is steadily dropping, thereby increasing their availability to a greater number of people. Unfortunately, we now have children -- nine, ten, and eleven year olds -- experimenting with drugs and alcohol.

Another problem in the area is the lack of available treatment. There are too few facilities to serve the many people requiring services and not enough money to treat them properly.

While drug educational programs are increasing, much more needs to be done to inform our youth of the dangers of drug use and abuse.

It is my sincere hope that the proceedings today and tomorrow will assist the Committee in gaining a better understanding of the serious problems in the area and provide input for finding a satisfactory solution.

Again, I thank all of you for attending. With your help, I feel confident that this endeavor will prove productive and successful for all concerned.

PREPARED STATEMENT OF

LUTHER JONES

MAYOR OF CORPUS CHRISTI, TEXAS

WE IN CORPUS CHRISTI are fond of talking among ourselves and to others about the fine "quality of life" we enjoy. Why not? Corpus Christi is blessed with sun and sea and many other natural beauties.

Natives and newcomers and visitors to the Coastal Bend certainly refer to these gifts of nature when they brag about "quality of life," but they also are aware that the popular term refers to the people of the area, for the people — as much as the geography and the topography -- determine how pleasing life is and will be here in Corpus Christi.

As a result of this quality lifestyle, the attractive social, economic, cultural conditions, the Corpus Christi area welcomes many new residents every day. This growth is a plus, affording the area even more advantages as citizens blend the experiences of natives with those of newcomers.

This same growth and advantageous geographical and topographical conditions also pose problems to the Coastal Bend. One of those problems -- drugs — brings you concerned people here today.

Throughout this select committee's hearings today and tomorrow you will hear testimony that describes in detail the extent of drug trafficking and abuse on the Texas Gulf Coast. You will hear from our Corpus Christi Police Chief Bill Banner and others some sobering statistics that prove that, indeed, drug trafficking and abuse do threaten this coveted "quality of life" we enjoy here in Corpus Christi.

I do not use the term "sobering" loosely. CCPD stats -- and Chief Banner will expand on these in his testimony — tell us that

* There are 1,250 to 1,500 heroin addicts with an average $350 per day habit in the City of Corpus Christi.
* There were seven deaths in the City attributed to drug overdoses from January to October of this year.
* The CCISD drug policy instituted in May 1981, has led to 42 suspensions of students for drug and alcohol abuse. Thirty-one of those suspension were marjuana related. Six were alcohol related. Five were related to drug paraphernalia.
* The Corpus Christi Police Department has made 1,362 drug related arrests between January and November of this year. Forty per cent of those arrests were associated with marijuana; three per cent with cocaine; another three per cent with methamphetamine (speed), and four per cent were related to heroin.

  Our police department believes these statistics reflect the general ratio of usage of these drugs in the community and predict a rise in the use of cocaine as the drug becomes more readily available and, tragically, more popular among even professionals in the City.
* One last sobering local statistic: The methadone clinic for the Coastal Bend — an agency federally funded to treat 105 clients per month -- currently treats 125 clients.

National and regional statistics which you will hear during this testimony are just as sobering. Daily the media bring us reports of rising drug trafficking and usage rates.

The Wall Street Journal just a few weeks ago pointed out that many of the people on Wall Street -- the people who handle the large sums of money involved in the market — are regular cocaine users. In an article and editorial three months back, Esquire magazine told readers that cocaine is no longer a drug of the elite, that some of the doctors that treat us are in fact regular cocaine users. Our local police narcotics specialists support this view and add that drug usage is rising in circles of young professionals in the Coastal Bend.

Reports also tell us that Corpus Christi's position on the Gulf Coast and its proximity to Mexico contribute to increased drug trafficking in the area. Recent developments in Florida have brought more traffic to the region.

I HAVE TOUCHED ON just a few of the statistics you will hear repeated here during this hearing. I also believe you will hear of some more encouraging statistics and efforts that are a direct result of the efforts of the people of Corpus Christi.

Commander Henry Garrett of the Corpus Christi Police Department describes the need for community involvement this way. "You might say the drug pushers, the users and the like are digging a huge hole in the society. With the big money and organization involved, it's like they're using a steam shovel, digging deeper and deeper into the fabric of the society. Law enforcement officials are working to re-fill that hole, but - due to limited resources — Garrett says they are trying to re-fill that deepening hole with teaspoonsful of dirt. We are limited, yes, but grateful to see that so many community organizations are joining now to help combat the efforts on the other side. We daily see more local people grabbing a teaspoon and working to re-fill the hole."

Police Chief Banner will elaborate in his testimony on examples of community involvement in Corpus Christi, and you will hear from some of these groups' representatives today and tomorrow.

Police narcotics experts, as I have said, stress that such community groups and more must work hand-in-glove with law enforcement officials if Corpus Christi is to make a dent in the drug traffickers' efforts. These experts stress that legislation that resulted from Ross Perrot's Texas War on Drugs Committee has indeed had a significant positive effects on police efforts to combat the drug problem, but that the benefit of an involved public cannot be overemphasized.

They report that the Corpus Christi community shows signs of more involvement today. Police officers lecture daily to civics groups, businesses, neighborhood groups and in the schools, where, the police emphasize we must get students into the right frame of mind regarding drugs.

A look at the recent 27 per cent drop in the Corpus Christi burglary rate proves that public involvement in law enforcements efforts does make a difference. Police attribute this lowered rate to education through the Neighbors On Watch program and the involvement of Crime Stopper, Inc.

more

I want to welcome members of the Select Committee on Narcotics Abuse and Control and all of you have prepared testimony for this hearing. I also thank the select committee for providing the opportunity for these many governmental and community groups to come together with information and perspectives on such an important issue.

The Senate of
The State of Texas
Austin 78711

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Committees:
EDUCATION (Vice Chairman)
HEALTH AND HUMAN
RESOURCES
NATURAL RESOURCES

Subcommittees:
PUBLIC HEALTH (Chairman)
AGRICULTURE (Vice Chairman)

Member, TEXAS COASTAL
AND MARINE COUNCIL

TESTIMONY

BEFORE THE U.S. HOUSE OF REPRESENTATIVES' SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL. BAYFRONT PLAZA CONVENTION CENTER, DECEMBER 12, 1983. CORPUS CHRISTI, TEXAS,

PRESENTED BY:

STATE SENATOR CARLOS F. TRUAN

20TH SENATORIAL DISTRICT, P. O. BOX 5445,
CORPUS CHRISTI, TEXAS. (512) 882-1923.

Mr. Chairman. Distinguished members of the Select Committee on Narcotics Abuse and Control, United States House of Representatives:

I am Carlos F. Truan, State Senator for the 20th Senatorial District of Texas, and I welcome you also to South Texas.

My perspective on the subject of your hearings is grounded in both my Chairmanship of the Texas Senate Subcommittee on Public Health and my Vice Chairmanship of the Senate Education Committee. I've been a member of the Texas Legislature for the past fifteen years.

Because I thought that this perspective might be too narrowly focused to tackle that part of the subject matter dealing with drug trafficking, as distinguished from drug abuse, I consulted with a number of experts. I picked the brain of our District Attorney, Grant Jones, and I consulted with Dr. Phil Rhoades, member of the Criminal Justice Faculty at Corpus Christi State University as well as Dr. Fred Cervantes, a Political Science Professor at CCSU. What they told me has been invaluable in helping me articulate the message that I am about to give to you.

That message is:

The Texas Department of Community Affairs estimates that over 700,000 Texans are in need of drug abuse treatment. Over half a million young people, aged 12 to 17, are at risk of becoming dependant on drugs and require prevention services. And, as many as 14,000 people, aged 12 to 17, may be added each year to Texas as they reach the drug-abusing age. I would give you no more statistics as they will be covered in depth by the

Director of Drug Abuse Prevention Division and the Texas Department of Community Affairs.

I was encouraged to read that our Congressman Ortiz plans to introduce legislation to promote drug education in public schools, because that is the heart and the soul of the feedback I obtained when talking to drug enforcement officials in preparing this testimony.

One would have thought that law enforcement authorities would be heartened by the emphasis on drug law enforcement in the past three (3) years. There has been a 30% reduction in funds for drug prevention, and, at the same time, there has been a 30% increase to drug law enforcement. Universally, I find great dissatisfaction with this. No one has told me that they had witnessed a reduction skewing of funds. Likewise, I find that the strongest proponents of drug abuse education in the schools are prosecutors and law enforcement officials.

May I urge a balanced approach. That translates into no decrease in emphasis on drug treatment and prevention services --- and in fact, an increase in funds for drug abuse education in the public schools as Congressman Ortiz proposes.

Dr. Phil Rhoades tells me that when we get back to a sound program of sound drug abuse education in schools, the information provided should be less in the way of fear-tactics, and more in the way of accurate descriptions of the negative effects of drugs on the human body. He also emphasizes the need to expose students to some education in law enforcement as part of the drug educational program in schools. I think that this is a very constructive idea worthy of your consideration. Peer group programs in schools have been proven to be effective, and education in schools should start in the 5th or 6th grades, or even sooner.

Everyone with whom I have consulted, and, particularly, District Attorney, Grant Jones, strongly emphasized that there is a definite relationship between alcohol abuse and drug abuse among young people, and that it would be evading the issue entirely and defeating our own purpose if we fail to include alcohol abuse in any expanded education effort on drugs.

In closing, let me again plead for a balanced approach. No one begrudges any money spent on law enforcement efforts to apprehend and convict drug traffickers. However, we must dry up the future part of those traffickers by a comprehensive program on drug abuse education that begins in the fifth or sixh level, which definitely includes alcohol abuse, and which also explains the role of law enforcement and obedience of the law in our society so that our young people will comprehend the role of the criminal justice system.

Likewise, no one can begrudge the spending of money on treatment and rehabilitation of drug abusers. But I think that we have neglected prevention and drug abuse education in arranging our funding priorities.

I hope that this Committee of the Congress will take the lead in rearranging these priorities. Thank you.

STATEMENT

OF

MARION W. HAMBRICK

SPECIAL AGENT IN CHARGE

HOUSTON FIELD DIVISION

DRUG ENFORCEMENT ADMINISTRATION

U.S. DEPARTMENT OF JUSTICE

BEFORE

U.S. HOUSE OF REPRESENTATIVES

SELECT COMMITTEE

ON

NARCOTICS ABUSE AND CONTROL

DRUG TRAFFICKING

IN THE

SOUTHERN DISTRICT OF TEXAS

CORPUS CHRISTI, TEXAS

DECEMBER 12, 1983

Chairman Rangel, I thank you for the invitation to appear before your Committee today, I am pleased to represent the Drug Enforcement Administration and will focus today on the drug trafficking situation in South Texas, the Gulf Coast and the U.S./Mexican border.

The United States shares a common border of 1,000 miles with the Republic of Mexico, 889 of which is in Texas. The border is extremely porous, and, given the fact that most of it is uninhabited desert, lends itself well to unregulated criminal activity, most notably smuggling. It is across this border that the bulk of drugs produced in or transshipped through Mexico enter the United States. Large quantities of heroin, cocaine, marijuana, and dangerous drugs such as methaqualone are all entering the United States from Mexico.

In the mid-1970's, Mexican brown heroin constituted approximately 80% of the entire United States heroin market. As a result, DEA, in concert with the State Department, worked closely with the Government of Mexico to institute an opium poppy eradication program and other initiatives. The program was extremely successful and, by 1979, caused a dramatic reduction in the purity and availability of Mexican heroin, reducing the market share for this type of heroin to about 30%. Beginning in 1982, however, the United States again began experiencing an influx of Mexican heroin, but this time at much higher purity levels than previously encountered. Currently, Mexican heroin accounts for an estimated 34% of U.S. heroin imports and is primarily concentrated in the Western United States and the Chicago Metropolitan area.

Historically, there have been two primary heroin smuggling routes originating from Mexico, one terminating at the California border and the other at the Texas border for distribution on to the Southwestern and North Central States. The movement of heroin into the United States has largely been restricted to the use of vehicles and individual couriers, and this remains the case today. Between 1976 and 1981, Texas led California in major heroin seizures at the border. In the last twelve months, two major heroin seizures have occurred, the first, in McAllen, was 19 pounds in December, 1982, and the second, in Brownsville, was 45 pounds in June, 1983.

Based on DEA Intelligence estimates, several important trends appear to be occurring. Narcotic arrest and seizure records for 1982 indicate that actual arrests of Mexican Nationals for drug offenses have decreased to the lowest level in six years. At the same time, heroin seizures along the Southwest border and in the Mid-Western states increased significantly, indicating a consolidation among today's Mexican trafficking networks.

In addition, we are observing a large number of Houston-based violators becoming active in heroin trafficking. Some of these people have extensive contacts with major heroin producing organizations in Mexico.

There is no question that based on the quantitative and qualitative increases in brown heroin, Mexico has re-emerged as one of the top three heroin producing regions of the world.

With regard to cocaine, it appears the South Florida Task Force has caused many Colombian cocaine traffickers to restructure their networks to include the Houston area. Recent cases and undercover negotiations indicate Texas is now playing a prominent role in this area. On the border, Laredo and Brownsville, in the past year, experienced a large number of 'ingestors' which are smugglers who transport sealed cocaine in their stomach or a body cavity. However, because of increased demand for cocaine, we are encountering a new trend which is the expanded use of aircraft and vessels to import larger quantities of this drug into Galveston, New Orleans and other points along the Gulf Coast. The Texas Department of Safety seized 70 pounds of cocaine at Beaumont, Texas during the last month, and the U.S. Customs Service seized 90 pounds of cocaine from a Colombian vessel at Galveston only two weeks ago.

As a result, South Texas cities including Houston, San Antonio, Corpus Christi, and the border towns are encountering large quantities of very high quality cocaine. It has become the drug of choice among many trafficking organizations and is now so freely available that the price has dropped approximately 50% in the last six months. In this case, the supply is so great that the price has fallen from an average of $75,000 per kilo in March, 1983 to $35-40,000 per kilo today. We predict that cocaine will continue to increase in availability as the Colombian organizations solidify their control over the South Texas market.

In the past year, large quantities of high grade Mexican marijuana have begun re-appearing along the border. Beginning in the last twelve months, seizures and resulting referrals from U.S. Customs and the Border Patrol began increasing dramatically. In previous years, midnight crossing of marijuana smugglers at remote locations along the Rio Grande River were extremely common. Today, this is again the preferred method. Colombian marijuana has also been transshipped through Mexico with ultimate distribution in Texas.

We are now beginning to observe the increased use of aircraft and vessels in large scale marijuana smuggling. In a recent seizure, 46,000 pounds of marijuana was seized from a large ship . To illustrate an entirely new phenomenon in

Texas, several of our cases concern violators who are travelling to Texas to exchange cocaine for marijuana.

In a recent Austin case, several New Yorkers came to Texas to negotiate for the delivery of 48,000 pounds of marijuana and placed a one million dollar cash deposit. In another instance, some Cubans came to Texas to negotiate for the delivery of 18,000 pounds of marijuana from Texas to Miami. The average price per pound for very high quality Colombian sinsemilla is about $500. Lower grades, such as Mexican commercial, average $150 per pound.

In addition to marijuana importation, we have observed an increase in domestic production of home grown marijuana which has become a problem in many areas of East Texas. Marijuana is reputed to be California's number one cash crop and the law enforcement community is trying to prevent that from happening here. The Texas Department of Public Safety (DPS) has taken the lead to address this problem. The DPS is coordinating a statewide Domestic Marijuana Eradication Program which has had excellent results. We are intensifying our efforts with the DPS, including an increased exchange of intelligence and extensive training and education programs.

Methaqualone is another major drug of abuse that is smuggled from Mexico into the United States . Commonly known by its

American trade name, Quaalude, methaqualone powder is clandestinely produced and tabletted in Mexico as Mandrax. While DEA has attempted to limit the worldwide availability of bulk methaqualone powder, there has been a substantial increase of Mandrax availability in Texas during the last two years. Mandrax is readily available on the streets of Houston, San Antonio, and Corpus Christi. It is smuggled into the United States in multi-thousand dosage unit quantities. An example of this was a seizure, at McAllen last year, of an automobile containing 530 thousand dosage units of Mandrax being driven by a fourteen year old Mexican National who had been recruited to drive the vehicle.

Another important phenomenon is the problem of drugs of legitimate pharmaceutical origin in Mexico being diverted into the U.S. illicit market. Drugs in this category include phentermine, Captagon (fenethylline), diazepam and codeine cough preparations. These drugs are being smuggled in large quantities across the Texas border and are also being flown into remote airstrips in Southern California.

In addition to all of these drugs, the domestic production of methamphetamine from clandestine laboratories has become a major trend that shows no signs of diminishing. In the last year, Texas led the nation in the number of methamphetamine laboratories seized while in operation. We have a very active lab team that has had an unprecedented degree of success in identifying and penetrating organizations that choose to manufacture their own methamphetamine. We have observed a general trend by which clandestine lab operators in remote, rural farmhouses where the telltale odor of the labs won't be recognized. This is happening with increasing frequency in the Texas hill country area northwest of San Antonio.

DEA is working closely in Texas with other Federal, State and local enforcement agencies in an attempt to stay abreast and challenge these trafficking networks. Our efforts as an investigative agency are directed at penetrating and immobilizing major drug trafficking networks through investigation, apprehension, and conviction, and depriving traffickers of their accumulated profits and assets through judicial forfeiture. DEA accomplishes these goals through a broad variety of approaches that are designed to respond to the unique requirements of the individual investigation at hand. Regardless of the type of drug, DEA targets its resources at the highest level of the organization so that our efforts will have the maximum impact.

The Houston Field Division of the DEA encompasses 115 of Texas' 254 counties, including all South Texas and most of West Texas. In actual area, the Division measures 124,897 square miles, or about 45% of the entire state, and includes all of the Texas-Mexican border except the area from Big

Bend National Park west to El Paso. This area is greater in size than the states of New York, New Jersey, Massachusetts, Connecticut, Vermont, New Hampshire and Maine combined.

DEA has authorized 128 Special Agents for the Houston Division. These personnel are assigned to strategic locations based on the needs of the agency, trafficking patterns and trends, and the volume of activity in a given District. In addition to Special Agent personnel, the Division has 5 Intelligence Specialists whose functions are to collect and analyze drug intelligence and to initiate and coordinate major intelligence programs. There are also 5 Diversion Investigators who perform regulatory functions and investigate the Diversion of drugs from legitimate sources.

To increase the impact of our own resources and the effectiveness of local drug enforcement activities, DEA supports a network of nineteen state and local task force operations nationwide. The objective of these task forces is to attack the mid-level trafficker, and the program, when instituted in a metropolitan area, serves to fill the gap between local street arrests and complex Federal investigations of high level financiers and organizers. In Texas, DEA recently approved task forces for Laredo and San Antonio.

We have also taken advantage of the newly formed Organized Crime Drug Enforcement Task Forces (OCDETF) that were recently established across the nation. The Gulf Coast OCDETF is based in Houston and targets the highest level of drug violators. The goal of the task forces is to ensure that all of the resources of the Federal government are brought to bear on the drug problem.

An example of the success of this task force is a recently completed investigation code named OPERATION BUSHMASTER that resulted in the indictment of 62 members of the Houston-based Dempsey MERIDA organization, one of the largest poly-drug organizations in the country. This organization, which distributed large quantities of heroin, cocaine, methamphetamine, and marijuana was involved in the full spectrum of criminal activities including multiple homicides and heavy equipment thefts. OPERATION BUSHMASTER extended to three foreign countries, seven states, several cities throughout Texas, and included the collective investigative efforts of at least eleven law enforcement agencies.

Another example is OPERATION GROUPER FOLLOW-UP, an investigation of a major trafficking organization which, over a year and a half, imported 425,000 pounds of marijuana by vessel to the Texas Gulf Coast. We recently indicted 44 persons in this case which has reached a successful conclusion. OPERATION GROUPER FOLLOW-UP identified smuggling points of entry in three different states, actual drug distribution to four other states, and utilized the investigative talents of twelve law enforcement agencies.

In addition to the OCDETF Program, we have become actively involved in the Vice President's National Narcotic Border Interdiction System (NNBIS). The Customs Service and the Coast Guard are the primary Federal agencies tasked with the interdiction of narcotics. DEA provides them with interdiction intelligence from both our domestic and overseas offices on drug smuggling into the United States. In turn, we are responsible for the follow-up investigations of seizures made by them.

Supporting DEA's efforts to immobilize major trafficking organizations at the Federal level are the FBI, IRS, U.S. Customs, the U.S. Coast Guard, Bureau of Alcohol, Tobacco & Firearms, the U.S. Marshal's Service and the Department of Defense. DEA agents throughout this Division and the Southwest work closely with these agencies and an active liaison program is maintained to ensure a continued exchange of intelligence.

As you can see, Mr. Chairman and members of the Committee, even with the coordinated efforts of the Federal, State and local agencies in this area, the drug trafficking situation in Texas and along the Southwest Border is one of constantly changing trends that cause us to face a very formidable challenge. Your hearings will increase public attention in this area and will increase sensitivity to the problem at all levels of government. The Drug Enforcement Administration is committed to meeting the challenge of the drug problems in Texas and the Southwest and responding quickly and effectively to the findings and recommendations that will surface during the course of these hearings.

Thank you.

STATEMENT OF DANIEL K. HEDGES, UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF TEXAS, BEFORE THE HOUSE OF REPRESENTATIVES SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

DECEMBER 12, 1983, AT
CORPUS CHRISTI, TEXAS

MR. CHAIRMAN AND MEMBERS OF THE SELECT COMMITTEE, I WANT TO THANK YOU FOR INVITING ME TO TESTIFY AT THIS HEARING ON THE STATUS OF DRUG TRAFFICKING IN SOUTH TEXAS. I HAVE BEEN REQUESTED TO ADDRESS THE FOLLOWING TOPICS: (A) PRESENT LEVEL OF STAFF ASSIGNED TO U. S. ATTORNEY'S OFFICE, SOUTHERN DISTRICT OF TEXAS; (B) CURRENT CASELOAD STATISTICS (SPECIFICALLY NARCOTICS); (C) STATISTICS RELATING TO PROSECUTIONS AND SENTENCING; (D) FUTURE PROJECTIONS FOR DRUG RELATED CASELOAD; AND (E) PROJECTED ROADBLOCKS WHICH MAY BE ENCOUNTERED DURING FUTURE PROSECUTIONS.

(A) PRESENT LEVEL OF STAFF ASSIGNED TO THE U. S. ATTORNEY'S OFFICE, SOUTHERN DISTRICT OF TEXAS: AT PRESENT, THE ASSIGNED, PERMANENT STAFF CONSISTS OF FIFTY ASSISTANT UNITED STATES ATTORNEYS. WHEN I TOOK OFFICE IN JULY, 1981, WE HAD FORTY ASSISTANT U. S. ATTORNEYS. OUR 25% GROWTH RATE OVER THE PAST TWO YEARS IS GREATER THAN THAT OF ANY

OTHER MAJOR OFFICE OTHER THAN MIAMI (SOUTHERN DISTRICT OF FLORIDA). WE HAVE FIFTY-FIVE ASSIGNED, PERMANENT NON-ATTORNEY STAFF MEMBERS.

THIRTY-THREE ATTORNEYS HANDLE CRIMINAL MATTERS AND SEVENTEEN HANDLE CIVIL MATTERS. FORTY-THREE ATTORNEYS OFFICE IN HOUSTON, ONE IN CORPUS CHRISTI, ONE IN LAREDO, AND FIVE IN BROWNSVILLE. IT IS NOT AT ALL UNCOMMON TO SEND ATTORNEYS FROM ONE OFFICE TO ASSIST IN THE HANDLING OF A CASE IN ONE OF THE OTHER OFFICES.

IN THE AREA OF NARCOTICS PROSECUTIONS, SIGNIFICANT STAFFING CHANGES HAVE BEEN MADE DURING MY TENURE IN OFFICE. WHEN I TOOK OFFICE, THERE WAS NO DESIGNATED NARCOTICS UNIT. WE NOW HAVE WITHIN THE CRIMINAL DIVISION IN HOUSTON A NARCOTICS SECTION HEADED BY ONE OF OUR MOST EXPERIENCED PROSECUTORS, AND CONSISTING OF THREE OTHER PROSECUTORS. WHILE NONE OF THESE FOUR LAWYERS DEVOTES FULL TIME TO NARCOTICS PROSECUTIONS, THEY PROVIDE US WITH THE MANPOWER AND EXPERTISE NECESSARY TO HANDLE THE NARCOTICS CASELOAD IN THE HOUSTON DIVISION. AS I WILL DISCUSS LATER, THE PROSECUTORS IN CORPUS CHRISTI, LAREDO, AND BROWNSVILLE DEVOTE A GREAT DEAL OF THEIR EFFORTS TO NARCOTICS PROSECUTIONS.

IN MARCH OF 1983, THE GULF COAST AREA DRUG TASK FORCE BEGAN OPERATIONS IN HOUSTON. IT IS RESPONSIBLE FOR HANDLING ALL CASES WHICH MEET THE DRUG TASK FORCE GUIDELINES

THROUGHOUT THE SOUTHERN DISTRICT OF TEXAS. SINCE HOUSTON IS THE "CORE CITY" FOR THE GULF COAST AREA (TEXAS, LOUISIANA, AND SOUTHERN MISSISSIPPI), THE HOUSTON TASK FORCE ALSO SERVES A COORDINATING FUNCTION FOR THE ENTIRE AREA. IN AUGUST THE TASK FORCE REACHED ITS FULL STRENGTH OF SEVEN PROSECUTORS AND FORTY INVESTIGATORS.

IN SUMMARY, IN THE PAST TWO YEARS WE HAVE GONE FROM HAVING NO ONE WITH FORMAL RESPONSIBILITY FOR PROSECUTING NARCOTICS CASES TO SEVEN FULLTIME AND FOUR PART-TIME NARCOTICS PROSECUTORS. THIS DRAMATIC INCREASE REFLECTS OUR PROSECUTIVE PRIORITIES, AMONG WHICH NARCOTICS IS AT THE TOP OF THE LIST.

(B) CURRENT CASELOAD STATISTICS (SPECIFICALLY NARCOTICS): THE CURRENT CASELOAD OF CRIMINAL MATTERS AND CASES THROUGHOUT THE SOUTHERN DISTRICT OF TEXAS IS 1,951. OF THAT NUMBER, 466, OR 24%, INVOLVE NARCOTICS. IN THE CORPUS CHRISTI DIVISION, THE TOTAL CRIMINAL CASELOAD IS 189 CASES AND MATTERS. OF THAT NUMBER, 107, OR 55%, INVOLVE NARCOTICS.

(C) STATISTICS RELATING TO PROSECUTIONS AND SENTENCING: I DO NOT HAVE ANY STATISTICS RELATING TO SENTENCING. EXHIBIT A ATTACHED HERETO REPRESENTS FELONY FILINGS IN FISCAL 1982 BY THE TEN LARGEST U.S. ATTORNEY'S OFFICES (EXCLUDING WASHINGTON, D.C.). THE SOUTHERN DISTRICT OF

TEXAS RANKS A DISTANT FIRST IN TOTAL FELONY FILINGS. IN THE CONBINED CATEGORIES OF "MARIHUANA, CONTROLLED SUBSTANCE" AND "NARCOTICS," WE RANKED SECOND ONLY TO THE SOUTHERN DISTRICT OF FLORIDA.

(D) FUTURE PROJECTIONS FOR DRUG RELATED CASELOAD: I HAVE NO REASON TO ANTICIPATE A DECLINE IN THE DRUG CASELOAD IN THE NEAR FUTURE. TO THE CONTRARY, AS THE DRUG TASK FORCE INDICTMENTS BEGIN TO BE RETURNED, THERE SHOULD BE AN INCREASE. BECAUSE OF THE NATURE OF DRUG TASK FORCE CASES, IT IS NOT ANTICIPATED THAT THERE WILL BE A LARGE INCREASE IN THE NUMBER OF INDICTMENTS. HOWEVER, MANY DRUG TASK FORCE CASES WILL INVOLVE A LARGE NUMBER OF DEFENDANTS, LENGTHY GRAND JURY INVESTIGATIONS, AND LENGTHY TRIALS.

(E) PROJECTED ROADBLOCKS WHICH MAY BE ENCOUNTERED DURING FUTURE PROSECUTIONS: AT THE PRESENT TIME, WE ARE EXTREMELY PLEASED WITH THE OPERATIONS OF THE GULF COAST AREA DRUG TASK FORCE. IT HAS ENABLED US TO INVESTIGATE AND PROSECUTE CASES OF A SCOPE AND NATURE WHICH WE SIMPLY DID NOT HAVE THE RESOURCES TO HANDLE PREVIOUSLY. WE ALSO FEEL THAT THE STRUCTURE OF THE TASK FORCE PROGRAM NATIONALLY IS EXCELLENT. WHILE WE RECEIVE GUIDANCE AND TRAINING FROM WASHINGTON, WE HAVE SUFFICIENT FLEXIBILITY TO ADDRESS THE DISTINCT PROBLEMS OF OUR AREA IN A MANNER BEST SUITED TO SAID PROBLEMS. ANY CHANGE IN THE STAFFING OR STRUCTURE OF THE DRUG TASK FORCE PROGRAM COULD CONSTITUTE A SERIOUS ROADBLOCK.

EXHIBIT A

District	Immigration	Embezzlement	Auto Theft	Weapons and Firearms	Escape	Burglary and Larceny	Marihuana, Controlled Substance	Narcotics	Forgery & Counterfeiting	Fraud	Homicide, Robbery, Assault	All Others	Total
S.D.N.Y.	18	101	3	20	21	71	21	80	78	181	81	53	728
C.D. Cal.	10	101	2	37	59	73	40	38	117	113	230	34	854
N.D. Ill.	10	58	6	26	4	88	17	41	36	157	18	59	520
S.D. Fla.	63	22	3	33	31	21	229	172	49	65	32	42	762
E.D.N.Y.	5	21	1	20	1	40	19	133	37	71	32	37	417
N.J.	7	34	3	14	1	45	22	11	37	106	17	40	337
E.D. Pa.	1	18	4	45	3	32	48	25	27	99	24	35	361
S.D. Tex.	678	32	13	85	76	47	139	70	25	186	25	65	1,441
E.D. Mich.	14	34	8	36	15	37	27	36	31	82	26	37	383
N.D. Cal.	5	82	1	9	9	58	22	19	34	72	53	31	395

PREPARED STATEMENT OF

DONALD F. KELLY

REGIONAL COMMISSIONER

U.S. CUSTOMS SERVICE

HOUSTON, TEXAS

DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE
HOUSTON, TEXAS

December 7, 1983

REFER TO
ENF-1-E:P JRE

The Honorable
Charles B. Rangel
Chairman, Select Committee on Narcotics Abuse and Control
U.S. House of Representatives
Room 234, House Office Building Annex 2
Washington, D.C. 20515

Dear Mr. Rangel:

As Regional Commissioner of the Southwest Region, United States Customs Service, I am pleased to provide information to you and the U.S. House of Representatives Select Committee on Narcotics Abuse and Control which may be of assistance in our nation's war on drug smuggling and abuse. Drug smuggling and abuse pose perhaps the greatest threat to our modern day society. Due to the magnitude of this problem, it is absolutely mandatory that we marshal all available resources to combat this deadly menace.

The U.S. Customs Service has the unique responsibility of preventing the smuggling and illegal entry of narcotics and other contraband into the United States. The Customs Service is charged with primary responsibility for Federal anti-smuggling enforcement along the entire land, sea and air borders, as well as through the ports of entry of this nation. We take this responsibility most seriously and strive to achive maximum results.

The Southwest Region of the U.S. Customs Service encompasses the entire States of Texas, Oklahoma, New Mexico, Arizona and two parishes in the State of Louisiana. Within this area lies almost 2,000 miles of land border with Mexico and 400 miles of Gulf of Mexico shoreline. Enforcement of the Customs laws over such a vast area does indeed present a challenge. Not only is the area vast, but topography varies from mountainous desert in Arizona and West Texas to lowland swamps along the Gulf Coast.

Ports of Entry in the Southwest Region vary from ferry river crossings on the Rio Grande River at Los Ebanos, Texas to the Port of Entry at Houston, which is one of the largest seaports in the nation as well as a large and ever expanding international airport.

Illegal penetrations by narcotic laden general aviation type aircraft occur throughout the Southwest Region's area of responsibility. These penetrations are represented in the form of small single engine planes with a few hundred pounds of marijuana to large multi-engine aircraft with hundreds of pounds of cocaine and other hard narcotics. The threat posed by smuggler aircraft originates in Mexico, Central and South America and flights often terminate in the Southwest Region and even to points well within the interior of the United States.

With this general overview in mind, I would like to take the opportunity to address certain specific areas of interest to the Committee.

I. FUNDING

Total funding for all aspects of the Customs Service mission are set out as follows. This funding is utilized for revenue collection functions as well as general enforcement and anti-smuggling efforts.

National Funding (in millions of dollars)

1980	464.1
1981	498.5
1982	527.2
1983	575.0
1984	615.9

Southwest Region Funding

The Customs Service is organized into seven geographic regions. To provide cost for Customs operations which are located directly on the border would be misleading since there are other costs incurred centrally by the Southwest Region which support the border operation. A better indicator of Customs emphasis on the border operation is the funding level for the entire Southwest Region which, as previously stated, has responsibility for virtually the entire US/Mexico border.

1980	43.3 (millions)
1981	47.1
1982	50.3
1983	65.5
1984	62.2*

*Based on current funding levels and subject to change during FY 84 as Headquarters makes further allocations of funds.

Funding for Corpus Christi/Brownsville

The amount of funding for operations in Corpus Christi/Brownsville during this period is indicated below. These are direct operating expenses and do not include support costs furnished by the Districts, Southwest Region or Service Headquarters.

1980	1.7 (millions)
1981	1.9
1982	2.0
1983	3.3
1984	*

*Expected to be at about the FY 83 level.

II. THREAT

The threat assessment is an ongoing dynamic process and is conducted at the local area and proceeds upward through the regional level to the national level. The threat is measured to some extent by enforcement results in the form of arrests made as well as the number and quality of narcotics and other contraband seized. These tangible figures are supplemented by current foreign and domestic intelligence. The assessment of tangible results coupled with intelligence is weighed within the Customs Service Intelligence Division and is supplemented by information exchanged with other Federal agencies such as the Drug Enforcement Administration and its El Paso Intelligence Center (EPIC) at El Paso, Texas.

An intelligence report prepared for 1983 by the Intelligence Division of U.S. Customs Service at Washington, D.C., is presented to the Committee as a part of this testimony. The report entitled Narcotics Trafficking: Impact on the U.S. Customs Service - 1983 Update, contains specific information and is broken down by specific types of narcotics, by region and method of conveyance.

Threat assessment within the Southwest Region is a priority area. As evidence of that priority, we have recently established the Intelligence Branch within the Office of Enforcement at Region Headquarters. The fourteen member staff assigned to this function will continually evaluate the threat in all forms throughout this region and transmit that vital tactical and strategic information to appropriate enforcement elements on a real time basis.

III. PERSONNEL

Personnel resources available during the period of fiscal years 1980 to the present are as follows:

National

FY	Custom Patrol Officers	Inspectors	Special Agents	Intelligence Analyst
1980	974	4,490	711	--
1981	907	4,481	678	--
1982	1,145	4,493	711	--
1983	1,082	4,368	954	--
1984	1,086	4,546	980	169

Southwest Region

FY	Custom Patrol Officers	Inspectors	Special Agents	Intelligence Analyst
1980	183	533	88	--
1981	165	537	76	--
1982	158	550	79	--
1983	226	690	103	--
1984	225	691	104	19

Corpus Christi

FY	CPO's	Inspectors	Special Agents
1980	6	4	0
1981	6	6	0
1982	4	5	0
1983	8	5	0
1984	8	5	0

Brownsville

FY	CPO's	Inspectors	Special Agents
1980	17	55	5
1981	15	58	5
1982	14	54	6
1983	15	65	5
1984	15	67	5

IV. SEIZURES FY 1980 thru FY 1983

The following is a compilation of narcotic seizures for the period FY 1980 thru FY 1983:

SERVICEWIDE

		FY 80	FY 81	FY 82	FY 83
Heroin	#SZ	149	170	168	285
	amount in lbs	268.7	234	290	594
Cocaine	#SZ	1,307	1,372	1,364	1,731
	lbs	4,743	371	11,149	19,601
Hashish	#SZ	3,979	2,689	2,610	1,829
	lbs	14,675	17,991	58,276	2,298
Marihuana	#SZ	12,620	14,036	11,947	12,101
	lbs	2,361,142	5,109,792	3,958,070	2,732,974
Other Dangerous		3,495	3,877	3,017	2,862
Drugs	#SZ	43,000,416	38,947,805	2,339,360	5,592,669
	(units)				

SOUTHWEST REGION

Heroin	#SZ	11	16	27	47
	lbs	10.5	36.3	14	91.1
Cocaine	#SZ	61	83	84	134
	lbs	145.4	46.4	267.7	628.8
Hashish	#SZ	189	454	518	371
	lbs	506.8	24.8	34.8	28.7
Marihuana	#SZ	1,354	1,419	1,438	2,063
	lbs	382,920	207,229	123,923	130,262
Other DD	#SZ	307	365	416	493
	(units)	1,390,467	467,230	784,735	4,530,577

CORPUS CHRISTI/BROWNSVILLE AREA

Heroin	#SZ	0	0	2	5
	lbs			1	45.8
Cocaine	#SZ	2	2	0	5
	lbs	*	*		5
Hashish	#SZ	4	0	3	1
	lbs	*		*	*
Marihuana	#SZ	108	90	85	142
	lbs	7,070.8	52,293.3	1,006.5	4,136.7
Other DD	#SZ	12	12	19	16
	(units)	234,116	501	5,216	212,059

* indicates amounts less than 1/10 lbs

Values of Narcotics Seized in the Corpus Christi/Brownsville Areas
(based on the DEA National Stats)

	FY 80	FY 81	FY 82	FY 83
Heroin	N/A	N/A	$589,065.00	$26,397,364.00
Cocaine	N/A	N/A	N/A	1,362,000.00
Marihuana	$4,843,498.00	$39,063,095.10	782,050.50	3,189,395.70
Other DD	707,030.32	1,733.54	25,297.60	897,209.57
TOTALS	$5,550,528.32	$39,064,868.64	$1,396,413.10	$31,785,969.27

V. TECHNIQUES/TRENDS

Techniques employed by Customs Officers to detect and apprehend drug smugglers include:

- Intelligence - Tactical and Strategic
- Confidential Sources
- Undercover Operations
- Intensified Special Operations
- Liaison with Other Agencies
- Use of Sensors - ground sensors, ground radar, FLIR, airborne radar, beepers and electronic tracking devices, night vision equipment
- Investigation - currency, neutrality, etc.
- Surveillance
- Intensified Inspections - Customs Enforcement Teams (CET)

Sufficient major assets are on hand to deal effectively with the narcotic smuggling problem in the Southwest Region. At the present, great emphasis is being placed on working effectively in a well coordinated manner. With expanded intelligence, our Customs Patrol Officers, Inspectors and Special Agents are working as a unified force to attack smuggling at every frontier and level.

The recent establishment of the National Narcotics Border Interdiction System (NNBIS) at the Washington level and at the regional level will provide resources never available to us in previous times. NNBIS gives us a vehicle whereby a concentration of Federal resources from the Department of Defense as well as the civilian Departments can come together for a state-of-the-art enforcement effort. Utilization of high technology provided by NNBIS will somewhat offset scarce manpower resources.

Relative to smuggling trends along the Texas/Mexican border, as well as along the Gulf Coast and at ports of entry within the Southwest Region over the past three years, we have observed an increase in virtually all forms of narcotic smuggling. This is especially true in very recent times and is primarily due to increased law enforcement activity in the Southeastern portion of the United States. Smugglers respond to pressure and the smuggling trend is an ever changing threat as pressure is applied at various points.

It has been my pleasure in presenting this information, and please let me know if I may be of further assistance.

Sincerely,

Donald F. Kelly
Regional Commissioner

PREPARED STATEMENT OF RADM WILLIAM H. STEWART, USCG COMMANDER, EIGHTH COAST GUARD DISTRICT BEFORE THE HOUSE OF REPRESENTATIVES SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

Mister Chairman and Members of the Committee, I am Rear Admiral William H. STEWART, Commander of the Eighth Coast Guard District. I welcome the opportunity to discuss Coast Guard maritime narcotics interdiction efforts with this Sub-Committee.

The Eighth Coast Guard District encompasses a large water area, approximately 100,000 square miles of the Gulf of Mexico. It includes the states of Alabama, Louisiana, Mississippi, Texas, New Mexico and part of the State of Florida. To support the Coast Guard drug interdiction effort in this area, the following multi-mission assets are available: ten 82 foot patrol boats, two seagoing buoy tenders, eleven helicopters at three locations (Houston, Corpus Christi, New Orleans), seven fixed wing aircraft at Corpus Christi and Mobile, and utility boats at eleven Coast Guard stations along the coast from Panama City, Florida to Port Isabel, Texas. Four medium endurance cutters are homeported in the Eighth District but operate primarily in the Yucatan area, which is presently under the operational control of the Seventh Coast Guard District headquartered in Miami.

With these assets, the Eighth Coast Guard District carries out an aggressive law enforcement program in support of maritime narcotics interdiction along the Gulf Coast. Patrol boats, utility boats, and buoy tenders conduct both coastal and offshore patrols on either dedicated missions or in conjunction with other Coast Guard missions. Aircraft patrols are regularly conducted in the Gulf along the coast, independently or in conjunction with surface patrols. Recently, we have begun to extend the range of our patrol boats by conducting multi-unit law enforcement patrols, well offshore, for up to ten day periods, using seagoing buoy tenders as "motherships" for fuel, water, spare parts, and communications relay. This has worked well in the past and will be used more extensively in the future.

The Coast Guard also responds in a timely fashion to intelligence which indicates the presence, in Eighth District waters, of a drug laden vessel or smuggling operation. Our assets are also deployed on joint operations with other agencies from federal, state and local governments. We maintain a strong liaison program with the other federal agencies involved in narcotics activities such as the Drug Enforcement Administration, U. S. Customs Service, Bureau of Alcohol Tobacco and Firearms, and the Federal Bureau of Investigation. Liaison officers have been detailed to the Organized Crime Drug

Enforcement Task Forces in the core cities of Houston, St. Louis and Atlanta. Each of these Task Forces has jurisdicion within some part of the Eighth District. Having liaison officers on-site ensures effective coordination with the Task Forces. To ensure cooperation at the local and state levels, the Coast Guard is a member of the Law Enforcment Coordination Committees operating under the direction of the Justice Department in the various U. S. Attorney Offices. Our local commands coordinate with their local law enforcement counterparts and this effort has borne fruit. One of our notable successes occurred on 15 January 1983 at Grand Isle, Louisiana. This case involved 12 tons of marijuana on the fishing vessel CAPT KURT. The original information came from the Federal Bureau of Investigation in the fall of 1982. Ultimately the Drug Enforcment Administration, the U. S. Customs Service, the Louisiana State Police, the La Fourche Parish Sheriff's Office and the U. S. Attorney in New Orleans became involved. A joint Command Post was established at the Eighth Coast Guard District Operations Center in New Orleans. A Local Command Post was established at the Coast Guard Station at Grand Isle, Louisiana. With the FBI and DEA providing intelligence, Coast Guard aircraft located the CAPT KURT some 300 miles south of Grand Isle. Using Coast Guard and Customs aircraft, constant surveillance was maintained on the vessel until its arrival off Grand Isle. DEA, Coast Guard and Customs Service boats were pre-positioned to track the suspect vessel. Late in the evening of the 15th of January, the vessel was seized and the people on board were arrested. Later that same evening, a contact boat with three persons onboard, apparently unaware of the interdiction, came alongside the CAPT KURT to begin transferring the load ashore. The vessel was seized and the three people promptly arrested.

In a more recent case, on 15 August 1983, the Coast Guard, acting on intelligence provided by the Customs Service, interdicted the fishing vessel CAPTAIN BUCK with fifteen tons of marijuana and arrested two persons on board. What makes this particular case extraordinary is that the job of locating the vessel by aircraft fell to the Air Force. Under the terms of the recently signed Coast Guard/Air Force Memorandum of Agreement, Air Force resources were requested. Approval of such an action must be made at the Secretary level in the Department of Defense. The response was very timely. An Air Force C-130 aircraft was sent to the probable location of the vessel and pinpointed its position, course, and speed for interdiction by a Coast Guard cutter cruising in the area. This type of support from the Department of Defense made the difference between success and failure in this case. Since the clarifications of the Posse Comitatus Act by Public Law 97-86, the Defense Department has provided the Coast Guard excellent support in drug interdiction. Their assistance is a welcome addition in our fight against the drug smuggler.

In the past several years the drug smuggling problem by vessel in this area appears to have been reduced. I attribute the reduction to the blockade of the Yucatan Pass between Cuba and Mexico, the primary route to Gulf Coast Ports, by the Southeast U.S. Task Force and its successor, the National Narcotics Border Interdiction System, which has forced the maritime smuggler to other areas or other means such as aircraft or overland routes.

That concludes my prepared testimony Mr. Chairman. I am prepared to answer any questions you might have.

Answers to questions raised in Mr. RANGEL's letter to ADM GRACEY dated November 18, 1983:

1. What is the amount of the Coast Guard appropriations assigned to the 8th Coast Guard District for each of fiscal years 1980-1983 and the amount of the 1984 request planned for the region?

ANSWER: Eighth District Operating Expenditures:

FY 1980	$68,754,399
FY 1981	$75,710,738
FY 1982	$89,662,434
FY 1983	$104,737,875
FY 1984 (planned)	$115,297,247

NOTE: FY 1984 planned expenditures include an estimated $60M for salaries and other direct costs to be funded by CGHQ.

2. What are the narcotics threat assessments or other written justifications prepared by the appropriate Coast Guard authorities to support the appropriations and requests for the Eighth Coast Guard District?

ANSWER: Due to the dynamics involved in smuggling today, threat assessments are invalid even as they are published. Some of the factors affecting an assessment are changes in growing conditions, domestic cultivation, demand, and smuggler methods as they react to law enforcement tactics. A detailed narcotics threat assessment was prepared for the Coast Guard by the El Paso Intelligence Center (EPIC) in September 1981. Points that remain pertinent are provided here.

Intelligence reports from Florida suggested that violators were feeling the pressure of increased law enforcement activities directed at maritime smugglers and that some organizations would be moving off-loading operations to areas with less enforcement activity. In conjunction with this, some Florida-based smugglers expressed an interest in shifting part of their operations to various ports along the Louisiana and Texas coasts.

The Texas coast from Port Arthur to Corpus Christi is most suitable for this type of smuggling activity. The coastline south of Corpus Christi, however, is blocked by a natural and continuous land barrier, Padre Island, which stretches past Port Isabel to the southernmost tip of Texas and is therefore, not generally considered attractive for maritime smuggling.

Texas, like most Gulf coastal states, has a long coastline which exceeds 600 miles of tidewater and is fed by many navigable rivers and bays. However, the fact that these ports are roughly 500-600 miles farther from Colombia than Florida (the primary target of smugglers) and that inherent navigational and weather problems precluded effortless operations, forced violators to modify the traditional mothership (coastal freighter) modus operandi. Shrimp boats became the primary contact and mothership vessels destined for the Texas coast and the Colombian islands of Serranilla and Misteriosa emerged as transshipment points.

The shrimp business in Texas produces a sizable yearly catch, with the Freeport area being the most significant port, and the locale was found to be most commonly used by violators for off-loading operations. This industry provides marine smugglers with a multitude of privately-owned docks and marinas throughout the area. In some cases, marina operators and shrimp dock owners have been involved in off-loading schemes.

The Drug Enforcement Agency, Customs Service, and Texas Department of Public Safety have all allocated resources which focus on the maritime smuggling problems Texas is experiencing. Only through continued coordination of these elements and the resultant production of high quality intelligence data submitted to EPIC can the true extent of Texas-based and targeted activity be monitored.

3. What is the total number of Coast Guard personnel for fiscal years 1980-1983 and proposed for 1984 assigned to Maritime Law Enforcement duties in the Eighth Coast Guard District?

ANSWER:

	MULTI-MISSION
4 medium endurance cutters (70 crewmembers each)	280
10 patrol boats (10 crewmembers each)	100
11 stations, each with a complement of about 21 and two or three utility boats	231
Air station New Orleans	113
Air Station Houston	60
Air Station Corpus Christi	57
CCGDEIGHT (oil) staff	3
GULF NNBIS CENTER staff	10
SOUTHWEST NNBIS CENTER staff	3
TOTAL	[illegible]

From time to time, other resources are deployed that perform some limited law enforcement mission (such as bouy tenders and aids to navigation teams) that are not repeated in the above table. Because of the Coast Guard's multi-mission concept of operations, no units in the Eighth District are fully committed to maritime law enforcement or maritime narcotics interdiction. However, all units and personnel have been assigned the task of drug interdiction utilizing whatever resources they have at their disposal.

4. What is the number of seizures and amounts of heroin, hashish, marijuana, cocaine and other controlled substances taken by the Coast Guard for fiscal years 1980-1983 and 1984 to date in the Eighth Coast Guard District?

ANSWER: Coast Guard maritime narcotics seizures in the Eighth District:

FY 1980	4 vessels 112.5 tons of marijuana 52 arrests
FY 1981	21 vessels 274.0 tons of marijuana 98 arrests
FY 1982	4 vessels 29.0 tons of marijuana 45 kg. (98 lb.) of pure crystal cocaine 1 gallon of hash oil 36 arrests
FY 1983	5 vessels 61.0 tons of marijuana 22 arrests
FY 1984	1 vessel marijuana residue only 0 arrests

The seizures and arrests listed above were all made within the Eighth District either exclusively by Coast Guard units and personnel, or by Coast Guard resources assisted by another agency.

When underway on maritime narcotics interdiction patrol, Eighth District WMEC's invariably, and WPB's occasionally, operate within Seventh District waters under Seventh District control. Much of the fruit of their activity is, therefore, assigned to the statistics generated by the Seventh District.

5. (a) What techniques does the Coast Guard employ to detect and apprehend drug smugglers in the Eighth Coast Guard District?

ANSWER: To avoid compromising the techniques and tactics we use to interdict the maritime narcotics traffic through the Gulf, my policy is to avoid discussing specific tactcs or operations or certain cases. Generally speaking, within the Eighth District, Coast Guard units respond to sightings of suspicious vessels and activity; patrol those areas known or suspected to be preferred by maritime narcotics smugglers; and develop and respond to narcotics smuggling intelligence from all sources, especially other law enforcement agencies.

(b) Are the resources available to the Coast Guard in this regard adequate?

ANSWER: Our resource base is adequate, given the overall national priorities and the availability of funding. However, the Coast Guard's objective is to make long term maritime narcotics smuggling uneconomical. To reach this level of interdiction requires a coordinated federal effort which addresses all transportation modes and effectively utilizes all available intelligence.

(c) What trends have you observed regarding drug trafficking along the Texas Gulf Coast particularly in the Corpus Christi/Brownsville area over the last three years (1980 to date)?

ANSWER: The Texas Gulf Coast between Brownsville and Corpus Christi is not as popular with drug smugglers as the Mississippi Delta and Florida panhandle because Texas does not have the maze of bayous and inlets found along the upper coast. The maritime trafficking activity along the Texas coast appears to have markedly decreased because of the blockade of the Yucatan Channel. We also know from reliable information that coastwise narcotics trafficking exists between Texas and the other states bordering on the Gulf of Mexico.

QUESTIONS AND ANSWERS

Q. HOW DOES NNBIS FUNCTION IN THE GULF REGION?

A. NNBIS FUNCTIONS AS A COORDINATING AGENCY FOR CASES INVOLVING DRUG INTERDICTION AT THE BORDER. THE CHARTER IS VERY LIMITED. WE DO NOT DO DOMESTIC ERADICATION; WE DO NOT CONDUCT INVESTIGATIONS, WE DO NOT MAKE STREET BUYS AND WE ARE NOT TARGETING MAJOR CRIMINAL ORGANIZATIONS. THOSE TASKS ARE PROPERLY THE PROVINCE OF THE DRUG ENFORCEMENT AGENCY AND THE ATTORNEY GENERAL'S DRUG ENFORCEMENT TASK FORCES. AN NNBIS CASE GOES SOMETHING LIKE THIS: INFORMATION IS RESIEVED FROM AN INTELLIGENCE SOURCE THAT A LOAD OF CONTRABAND NARCOTICS IS COMING INTO THE U.S. THROUGH THE GULF REGION. THE INTELLIGENCE INFORMATION COORDINATION CENTER PROCESSES THE DATA AND ATTEMPTS TO CONFIRM VIA OTHER MEANS. UPON COMPLETION OF PROCESSING, THE INFORMATION IS GIVEN TO THE

OPERATIONS INFORMATION CENTER. THE OPERATIONS INFORMATION CENTER THEN DETERMINES FROM THE STATUS OF RESOURCES WHAT AGENCY HAS ASSETS IN THE BEST POSITION TO INTERDICT THE TARGET. THAT AGENCY IS CONTACTED AND REQUESTED TO TAKE ACTION. IF ONE AGENCY'S ASSETS ARE NOT SUFFICIENT, OTHER AGENCIES ARE BROUGHT INTO THE PICTURE AND PUT IN TOUCH WITH THE CONTROL AGENCY. WHO IS THE CONTROL AGENCY DEPENDS ON THE TYPE OF INTERDICTION AND THE LOCATION FOR INTERDICTION.

Q. WHAT ARE THE COMPONENT AGENCIES?

A. THE COAST GUARD, CUSTOMS SERVICE, DRUG ENFORCEMENT AGENCY, FEDERAL BUREAU OF INVESTIGATION, BORDER PATROL, IMMIGRATIONS AND NATURALIZATION SERVICE, ARMY, NAVY, MARINE CORPS, AIR FORCE, NEW ORLEANS POLICE DEPARTMENT, LOUISIANA STATE POLICE AND LIAISON OFFICERS DESIGNATED WITH THE ALABAMA BUREAU OF INVESTIGATION, MISSISSIPPI BUREAU OF NARCOTICS, AND TEXAS DEPARTMENT OF PUBLIC SAFETY. IN THE

GULF REGION, I HAVE FORMED A BOARD OF DIRECTORS TO ADVISE ME ON POLICY MATTERS. IN ADDITION TO THE AGENCIES MENTIONED ABOVE THE U. S. ATTORNEY IN NEW ORLEANS, THE BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS, AND THE INTERNAL REVENUE SERVICE ARE ALSO MEMBERS.

Q. WHAT SPECIFICALLY DOES THE ADMIRALS ROLE AS COORDINATOR ENTAIL?

A. THE REGIONAL COORDINATOR'S FUNCTION IS: ESTABLISHING AND OPERATING THE CENTER FOR THE GULF REGION, CONDUCTING LIAISON WITH THE FEDERAL LAW ENFORCEMENT AGENCIES THROUGHOUT THE GULF REGION, CONDUCTING LIAISON WITH THE GOVERNORS OF THE STATES AND THE STATE AGENCIES RESPONSIBLE FOR DRUG ENFORCEMENT, VISITING THE VARIOUS MILITARY COMMANDS LOCATED IN THE GULF REGION TO DETERMINE THEIR POTENTIAL ROLE IN NNBIS, ENSURING THE EFFORT TO INTERDICT DRUGS IS COORDINATED SO THAT MAXIMUM EFFORT IS EXERTED AGAINST A GIVEN TARGET AT ALL TIMES, ENSURING THAT OUR TACTICAL INTELLIGENCE PICTURE FOR THE GULF REGION IS

DERIVED FROM ALL POSSIBLE SOURCES.

Q. HOW DO THE COMPONENT NNBIS AGENCIES OPERATE IN THEIR RESPECTIVE NNBIS ROLES VERSUS THEIR NORMAL OPERATIONS AS INDEPENDENT ENTITIES?

A. LET ME ANSWER THAT BY SAYING THIS FIRST: NO NNBIS PARTICIPANT GAINS ANY AUTHORITY OR POWER BY IT'S PARTICIPATION NOR DOES IT LOSE ANY AUTHORITY OR POWER. NNBIS HAS NO AUTHORITY TO DIRECT ANY AGENCY TO TAKE ACTION, WE ONLY MAKE RECOMMENDATIONS AND HELP PROCURE RESOURCES. WHAT IS DIFFERENT IN NNBIS IS THAT EVERYTHING HAS BEEN PUT TOGETHER IN ONE PLACE: THE STATUS AND LOCATION OF RESOURCES, THE INTELLIGENCE FROM ALL LAW ENFORCEMENT AGENCIES AND THE NATIONAL INTELLIGENCE COMMUNITY, AND AN IMPROVED PROCESS FOR ACCESSING DOD ASSETS. THE RESPECTIVE AGENCIES STILL MAKE ARRESTS, SEIZURES, AND CONDUCT SEARCHES AS BEFORE BUT ON A COORDINATED BASIS.

Q. PLEASE DISCUSS THE APPROPRIATIONS, RESOURCES INCLUDING MANPOWER AND EQUIPMENT, NARCOTICS SEIZURES (AMOUNTS AND VALUES), AND NEEDS OF NNBIS PERTAINING TO THE TEXAS/MEXICAN BORDER REGION AND THE CORPUS CHRISTI/BROWNSVILLE COASTAL REGION.

A. MY REGION STOPS AT BROWNSVILLE AND DOES NOT GO WESTWARD FROM THERE. THE US/MEXICAN LAND BORDER IS THE RESPONSIBILITY OF THE SW REGION OF NNBIS IN EL PASO SO I CAN NOT SPEAK TO THAT AREA. NNBIS OWNS NO RESOURCES OR ASSETS. THE PARTICIPATING AGENCIES IN NNBIS ONLY CONTRIBUTE MANPOWER AND FUNDING TO MAN THE NEW ORLEANS CENTER. THE CONSTRUCTION COST OF THE NEW ORLEANS CENTER WAS BORNE BY THE COAST GUARD AND WAS APPROXIMATELY $400,000. EACH AGENCY PAYS ITS OWN EMPLOYEE SALARIES AND TRAVEL COSTS. THE ANNUAL OPERATING BUDGET FOR THE NEW ORLEANS CENTER IS AGAIN MOSTLY PAID BY THE COAST GUARD AND AMOUNTS TO APPROXIMATELY $150,000 PER YEAR. THE OPERATING COSTS INCLUDE SPACE RENTAL, OFFICE EQUIPMENT AND COMPUTER MAINTENANCE, TRAVEL AND TRAINING COSTS, AND TELEPHONE AND TELETYPE SERVICES.

THE GULF REGION HAS TWELVE PERSONS FROM THE COAST GUARD, EIGHT FROM CUSTOMS, TWO FROM DEA, TWO FROM NEW ORLEANS POLICE DEPARTMENT, ONE FORM THE BORDER PATROL, ONE FROM THE LOUISIANA STATE POLICE, AND ONE EACH FROM THE ARMY, NAVY, AIR FORCE, AND MARINE CORPS. NNBIS PARTICIPATING AGENCIES HAVE SEIZED AS OF 28 NOVEMBER 77.5 TONS OF MARIJUANA, 1806 POUNDS OF COCAINE, 5 POUNDS OF HEROIN, FOUR AIRCRAFT, AND NINE VESSELS, 55 ARRESTS HAVE RESULTED FROM THE SEIZURES. VALUE OF THE CONTRABAND IS ESTIMATED AT A CONSERVATIVE 260 MILLION DOLLARS. NNBIS NEEDS FOR THE GULF AREA ARE: IMPROVED LOW LEVEL RADAR CAPABILITY FOR DETECTING INCOMING AIRCRAFT AND IMPROVED DOMESTIC AND FOREIGN INTELLIGENCE INFORMATION CONCERNING THE MOVEMENT OF NARCOTICS ACROSS OUR BORDERS.

STATEMENT OF J. WILLIAM CARTER
DEPUTY REGIONAL CHIEF, BORDER PATROL
SOUTHERN REGION, DALLAS, TEXAS, BEFORE
THE HOUSE OF REPRESENTATIVES SELECT
COMMITTEE ON NARCOTICS ABUSE AND CONTROL

The Immigration and Naturalization Service is an agency of the Department of Justice and is responsible for administering and enforcing the immigration and nationality laws of the United States. We have two basic functions:

1. To insure that all persons entering into or remaining in the United States are entitled to do so, under law, and

2. To provide public services in the form of processing various applications for admission, petitions for naturalization and similar other benefits under the immigration and nationality laws.

While the Immigration and Naturalization Service has never been authorized by statute to enforce federal drug laws, we do encounter drug smugglers incidental to the performance of our duties regarding the entry of aliens into the United States. This is evidenced by the 1,516 narcotics seizures valued at $35,560.963. having been made along the Texas-Mexican border over the past three years.

In fiscal year 1981, the Immigration and Naturalization Service was responsible for 624 narcotic seizures along the Texas-Mexican Border. The value of those seizures was $7,697,445. A total of 82 deportable aliens were involved in the smuggling of narcotics during that same period of time.

Listed below are the cumulative totals of narcotic seizure, amounts seized and estimated values of seizures made by INS during fiscal year 1981.

Type of Seizures	No. of Seizures	Amount Seized	Est. Value of Seizures
Marijuana (lbs.)	512	17,895.95	2,837,373
Heroin (oz.)	-0-	-0-	-0-
Opium (oz.)	1	.16	320.
Cocaine (oz.)	25	241.12 oz.	903,025
Hashish (oz.)	23	854.75	225,559
Dangerous drug pills (units)	41	134,422	169,134
Other	22	N/A	3,562,034
Total	624	N/A	7,697,445

In fiscal year 1982, 118 deportable aliens were involved in the smuggling of narcotics along the Texas-Mexican Border. During that same period of time a total of 500 narcotic seizures were made by INS. The following is a breakdown of the number of seizures, amount seized and estimated value of seizures made by the Immigration Service during that period of time.

Type of Contraband	No. of Seizures	Amount Seized	Est. Value of Seizures
Marijuana (lbs.)	426	15,491.91	3,034,783
Heroin (oz.)	5	1.93	5,270
Opium (oz.)	-0-	-0-	-0-
Cocaine (oz.)	7	389.11	6,305,911
Hashish (oz.)	10	21.05	7,084
Dangerous drug pills (units)	39	136,714	454,470
Other	13	N/A	186,855
Total	500	N/A	9,994,373

In fiscal year 1983, the value of narcotics seized by INS along the Texas-Mexican border was $17,869,145. Below please find a quantitative analysis of the number of seizures, amount seized and estimated value of seizure made.

Type of Contraband	No. of Seizures	Amount Seized	Est. Value of Seizures
Marijuana (lbs.)	325	18579.51	13,709,111
Heroin (oz.)	1	1	26,000
Opium (oz.)	-0-	-0-	-0-
Cocaine (oz.)	28	1324.70	2,921.176
Hashish (oz.)	6	1.54	526
Dangerous drug pills (units)	27	130,036	1,209,842
Other	5	N/A	2,490
Total	392	N/A	17,869,145

Drug traffic trends along the Texas-Mexican border over the past three years included the smuggling of drugs across the U.S./Mexican border principally by vehicles through U.S. ports of entry and to a lesser extent by pedestrians crossing illegally between ports of entry. A significant amount of cocaine has been intercepted both east and west bound across the United States at Border Patrol traffic checkpoints, the smugglers in most cases being Colombians.

In October of 1983, Border Patrol Agents of the Sierra Blanca, Texas traffic checkpoint intercepted two Colombians in possession of 13 lbs. of cocaine valued at $418,000. Between the months of April thru October 1983, Agents assigned to the El Paso Border Patrol Sector were responsible for seizing a total of 45 lbs. of cocaine with a street value in excess of 10 million dollars.

It is widely acknowledged that large numbers of illegal aliens are successfully evading apprehension by the Border Patrol and other INS officers. The Administration supports a three-pronged solution to this problem. This approach, which was recommended by the Select Commission on Immigration and Refugee Policy, includes enhanced Border Enforcement, penalties for employers who knowingly hire illegal aliens, and legalization of certain illegal aliens who have been here for a specified length of time.

The Administration has not identified a specific level of resources appropriate for border control. We are, however, optimistic that immigration reform legislation will come to a vote in early 1984 and that suitable funding will be requested upon passage of the legislation.

Cooperation between INS and other federal agencies and between INS and state and local law enforcement entities is very good.

INS cooperates with DEA and Customs in the EL Paso Intelligence Center (EPIC), which maintains indicies of alien smuggling, fraudulent documents utilized by illegal entrants and private aircraft arriving from overseas. While having prime responsibility for the smuggling of aliens. INS has found that the mixing of drugs and people is the norm even in the case of small smuggling operations. Whether it is our Border Patrol Agents on the ground, inspectors at the ports of entry, or aircraft operational surveillance, we routinely receive support from EPIC and the other agencies, and in return provide information and assistance to them in our day-to-day operations.

Cooperation with state and local enforcement agencies is the best it has been in many years. A directive issued by the Attorney General in the previous administration has been interpreted in some areas to discourage such cooperation. This was clarified last year and we have experienced a healthy responsiveness to our requests for assistance and initiatives for cooperation against smugglers.

It should be noted that the administration has not identified a specific need which would enable INS to be more effective in apprehending suspected drug smugglers. However, through enhanced Border Enforcement our mere presence would insure greater control of the border, consequently resulting in the detection and apprehension of larger numbers of suspected drug smugglers.

The effect of the National Narcotics Border Interdiction System on INS has been of a positive nature . As a result of NNBIS a better flow of information between agencies now exists. Working relationships between federal and state agencies, as well as effective coordination of intellegence data, is a direct result of NNBIS.

County of Nueces

JAMES T. HICKEY
SHERIFF

P. O. BOX 1940 PHONE [illegible]
CORPUS CHRISTI, TEXAS [illegible]

F. L. TREJO
Chief Deputy

December 8, 1983

Honorable Charles B. Rangel, Chairman
U.S. House of Representatives
Select Committee on Narcotics Abuse & Control

Honorable Committee Members:

PROBLEMS OF ENFORCEMENT:

Enforcement efforts aimed at controlling narcotics abuse have not changed appreciably in the last century. Techniques have seemingly improved but this should be recognized as merely the sophistication that corresponds to the advances made in all other areas of our society. The fundamentals of enforcement still employed today are the search warrant, development of informants, roadblocks of transportation routes, agents posing as criminals to buy (or sell) narcotics, and other traditional methods of investigation and enforcement. What may at first seem innovative is usually, upon close inspection, and proper reflection, just a spin-off from some old technique that has been enhanced by the assistance from modern technological systems. There may never be a truly revolutionary concept of enforcement that will once and for all eliminate narcotics abuse. I'm not sure that a radical departure from traditional methods is necessary. While the enforcement effort can and must be developed to it's highest potential, it alone is not the total answer.

The recently re-activated Coastal Bend Major Crimes Task Force, which when completely organized, will include 15 or more counties of South Texas. A recent polling of views of many of the Sheriff's and Chiefs of Police of this Task Force, created an echoing of the problems which my own department has experienced: shortages of manpower, equipment and funds; decreased personnel levels of Federal enforcement agencies; lack of educational programs to forestall entry into drug use; lack of specialized training for narcotics agents; and other operational deficiencies usually attendant to any law enforcement function that is less than reasonably successful.

BACKGROUND OF PRESENT ABUSE LEVEL:

Three decades ago the incidence of narcotics abuse was negligible in this country. Because of parental conditioning, media condemnation of narcotics abusers, social convention that demanded conformity to decent standards of conduct, the traditional disapproval by respected members of society and various other influences, Americans of all ages would have sooner picked up a rattlesnake than to have used narcotics. All of these prevention factors have been subverted to varying degrees and rendered ineffective in the last generation.

Present attitudes which are characterized by permissiveness, hedonism and escapism have evolved, perhaps, out of the combination of extraordinary experiences of recent years; two costly wars which were not generally understood as to purpose; the break-

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down of family values as evidenced by the accelerating incidence of family break-up; the irresponsible advocacy of narcotics use by educators, psychologists, scientists, public officials and other respected fugures; the media representation of hedonistic pursuits as something not only acceptable but desirable; the decline of the church; immoral court decisions that not only facilitate but beg through example the pursuit of personal convenience; and, generally, a lack of moral leadership at all levels of the signigicant institutions of society where mutual backscratching is the rule and morality the exception. We did not arrive at this sorry state of affairs overnight, nor shall we retire from it quickly.

PROPOSED SOLUTIONS:

I. While enforcement by itself is not the total solution, we must move forward in that area as though it were.

I propose:

A. The allocation of realistic levels of Federal manpower to those areas that experience and are most suitable to extensive importation of narcotics; assistance at the local level in equipment, funds, cooperation and communications capabilities among agencies at all levels which can be best effected at the Federal level.

B. In addition to the present criminal penalties of fine, imprisonment, confiscation and import taxation, there should be imposed on the narcotics dealer a more comprehensive penalty that precludes the possibility of exemption from loss due to confiscation, for example, in the basis of the government's inability to prove that certain assets were derived from narcotics profits.

If a seized narcotics inventory were defined as ordinary income because of the known rapid turnover of the product, then the street value of that inventory could be the basis for a tax levy. In other words, the fluid, negotiable nature of a narcotic substance would make it the equivalent of cash and the mere possession would make it taxable as unreported ordinary income. A statute could provide for the legal presumption to so define narcotics. Where now there are many assets excluded from confiscation, none of them would escape a tax lien issuing from an IRS action. The deterrent effect would be considerably more than what the trafficker now faces as penalties.

II. To say that enforcement is not enough is to demand the balance of the solution or at least some reasonable hypothesis that would merit consideration. In viewing the manner in which we arrived at a given place or circumstance can we not also consider the same vehicle for our return? The influences which caused the problem of widespread narcotics use can be applied in reverse fashion. At least some can. The harmful advice of professionals and other significant figures in the 1960's and 1970's exhorting students to try marijuana, e.g. can be reversed (albeit, a generation later) by persons of today in that category who speak the truth about the dangers of narcotics but more importantly who express disapproval of their use. Many who extolled the benefits of drugs earlier have reversed their position after having had the chance to study longitudinally the effects of narcotics in in the lives of users. But who hears their repudiation of their own earlier ignorance? The news media is not as attentive to the issue as they were when a forbidden act was being advocated by someone who by virtue of his position demanded attention and respect.

I suggest that we fight fire with fire. That is, that in the same way in which Americans were exposed to bad example, bad advice, bad law-making, bad judicial decisions, wishy-washy sermons from the pulpit, leadership lacking in principles and fortitude, impotent and uncaring parenting, let them now be exposed to the opposites in a most positive way with the only negative expression being our extreme disapproval of harmful practices.

Historically, Americans have measured up to whatever emergency endangered their well-being. They can measure up to this present plague if proper leadership exists, if good example is set and encouraged by those whom they trust.

This may sound so idealistic as to be worthy of filing alongside Alice in Wonderland, but I suggest it is entirely possible to establish on a national level a movement which would not only make our society aware of the need to regain its moral balance but would also instill in many of those whom we trust to lead, the courage to loudly and publicly disapprove of narcotics use. Approval helped to bring on the abuse. May not disapproval help end it?

Such a program would be an ambitious undertaking and would call for resources not available at the local level in the organizational and communication requirements. At the Federal level much more is possible. All that is required to begin is leadership.

Respectfully,

James T. Hickey

James T. Hickey
Sheriff, Nueces County

JTH/ff

W. C. Banner
Chief of Police
Corpus Christi Police Dept.

The issue of drug trafficking and drug abuse today is a multi-faceted problem that affects a community in a manner unlike any other criminal activity. Drug abuse spans generation gaps, cuts across sociological and socio-economic planes and touches virtually every segment of American society. South Texas and Corpus Christi are certainly inlcuded.

Intelligence information indicates that as a result of intensified federal efforts toward interdiction of marine and air narcotics smuggling in South Florida, there is a probability that a substantial part of that smuggling activity will be, and is, re-directed toward other Gulf Coast areas. Furthermore, there are recent indications that connections between South Texas and Coastal Bend figures and Florida drug traffickers and suppliers have been established to a more significant degree than in the past. The Coastal Bend, because of its flat continental shelf and remote stretches of uninhabited beaches affords smuggling vessels a topographical advantage over many other more populated areas. In addition, the rural area adjacent to Corpus Christi consists mainly of isolated farm and ranch land that is especially conducive to the construction and maintenance of clandestine airstrips. Because of the geographical advantages and the disparity in numbers of law enforcement personnel to cover this large territory, the Corpus Christi and Coastal Bend area certainly could be considered a prime avenue for narcotics smuggling activities.

Along with being geographically suited for smuggling activities, Corpus Christi is also the first major city with an international airport north of the eastern Texas-Mexican border. In addition, factors such as convenient water access, rail and trucking facilities north of the Border Patrol checkpoints make it plausible to consider Corpus Christi as an advantageous link in the overland distribution routes of illicit narcotics that are destined for points farther north. As a result, the incidences of trafficking in marijuana, cocaine, heroin, AND METHAMPHETAMINE IN OUR CITY ARE INCREASING.

RECENT BUMPER CROPS OF COCA PLANTS IN SOUTH AMERICA AND MARIJUANA AND POPPY FIELDS IN MEXICO, COUPLED WITH THE LAW ENFORCEMENT DEFICIENCIES AND POLITICAL INSTABILITY IN THESE COUNTRIES, HAVE LED TO THE INCREASING SUPPLY OF NARCOTICS AVAILABLE IN OUR AREA. BECAUSE OF THE GREATER QUANTITIES, THE PRICE OF THE DRUGS IS STEADILY DROPPING, THEREBY INCREASING THEIR AVAILABILITY TO A GREATER NUMBER OF PEOPLE. FOR EXAMPLE, IN 1981, A KILOGRAM OF COCAINE IN CORPUS CHRISTI WAS PRICED AT $75,000. TODAY, THAT SAME KILOGRAM CAN BE PURCHASED FOR $40,000. IN ADDITION, THE COCAINE DISTRIBUTED ON THE STREETS LAST YEAR AVERAGED FROM BETWEEN 30 AND 40 PERCENT IN PURITY WHEREAS RECENT SEIZURES OF THE DRUG HAVE INDICATED A CONSISTENT PURITY OF OVER 80 PERCENT. SIMILAR STATEMENTS CAN BE MADE ABOUT RECENT HEROIN AND METHAMPHETAMINE SEIZURES. THE ENHANCED QUANTITY AND QUALITY OF NARCOTICS CAN ONLY LEAD TO INCREASED TRAFFICKING ACTIVITIES IN THE FUTURE. OTHER FACTORS SUCH AS THE REDUCTION OF PERSONNEL IN THE LOCAL DEA OFFICE MAKE THE ROLE OF THE POLICE IN DRUG ENFORCEMENT DIFFICULT, AT BEST.

AS THE FEDERAL GOVERNMENT HAS RECENTLY EXPERIENCED, SUCCESSFUL NARCOTICS ENFORCEMENT IN ANY AREA IS COSTLY, REQUIRING VAST RESOURCES OF MANPOWER AND MATERIAL IF THAT EFFORT IS TO PREVAIL. LOCAL JURISDICTIONS ARE HARD-PRESSED TO PROVIDE SUCH EFFORTS, ESPECIALLY IN THE FACE OF MUNICIPAL BUDGET CUTS AND REDUCED OR CANCELLED FEDERAL PROGRAMS SUCH AS THE LEAA AND OTHER FEDERAL AND STATE PROGRAMS PREVIOUSLY IN EXISTENCE THAT WERE DESIGNED TO ASSIST MUNICIPALITIES IN LAW ENFORCEMENT EFFORTS. ADDING TO THE PROBLEM IS THE INCREASING SOPHISTICATION OF THE POPULATION THAT IS USING THE DRUGS. FOR EXAMPLE, THE RECREATIONAL USE OF COCAINE BY PROFESSIONALS IS BECOMING WIDESPREAD AND AS A RESULT, IT HAS BECOME DIFFICULT FOR POLICE TO PENETRATE THE SOCIAL CIRCLES AND PROFESSIONAL RELATIONSHIPS THAT EXIST. IT IS ALSO COMMON IN SOUTH TEXAS FOR HEROIN AND MARIJUANA TRAFFICKING ORGANIZATIONS TO CONSIST EXCLUSIVELY OF ENTIRE FAMILIES, THEREFORE MAKING IT VERY DIFFICULT FOR POLICE TO INFILTRATE OR EVEN DEVELOP INFORMATION ABOUT THEIR ACTIVITIES.

However, as difficult as the problem may seem, steps are being taken to combat it. For example, there are an increasing number of drug educational and treatment programs in existence today in Corpus Christi. There further appears to be a new emphasis to educate citizens on drug abuse, treat those individuals who are addicted to drugs and to provide service and information to the community. Furthermore, an aggressive drug policy is in effect in the local school district that provides for mandatory suspensions for those students who bring illegal drugs onto campus.

New laws have been enacted on the state level to combat the increasing drug problem in Texas that provide for enhanced penalties for aggravated drug offenses, and forfeiture provisions that offer law enforcement the means to seize assets of drug offenders in certain trafficking offenses. In addition, a wiretap statute has been enacted that has proved to be a successful tool against major drug traffickers.

These endeavors to combat drug abuse and narcotics smuggling clearly point out that it is not only a police problem but a societal one. If we are to be successful in our efforts to substantially reduce its effects on our cities, it is essential that we address it within that scope. Only with the combined forces of government and citizens working together will we be able to realize our goal.

PREPARED STATEMENT OF
ANDRES VEGA, JR.
CHIEF OF POLICE
BROWNSVILLE, TEXAS

Initially I would like to extend my sincere thanks to Congressman Solomon Ortiz and Mr. Chares B. Rangel and this committee for having given me the opportunity to present testimony at this hearing.

The citizens of Brownsville have always faced a unique situation, perhaps equal only to cities in this coutnry that are located on the Mexican border, such as we are. Many will argue that our geographical location may be an advantage to our community form a Political and economical view point. This can certainly be a point of much discussion considering the current and future economic situation in the Republic of Mexico. Without a doubt the current economic crisis in Mexico has forced many Mexican citizens to move out of that country and into the United Stated, searching for better living conditions. By the same token we anticiapte that because of the economic crisis in Mexico many Mexican citizens along with Americans will conspire into possible drug trafficking when otherwise they would be legitimately employed. Brownsville like other cities along the Texas - Mexico Border is a conduit for Drug Trafficking, and I believe statistics will certainly varify this statement.

The City of Brownsville has a population of about 90,000 citizens. The Brownsville Chamber of Commerce has estimated that we have approximately 50,000 winter tourist between September - April of each year. Additionally, the sister city of Matamoros, Mexico has an estimated population of 350,000 citizens. A great number of these people either work, shop transact business, or simply visit Brownsville on a daily basis. Conservatively speaking I venture to say that there are 130,000 people in Brownsville each day of the year.

Geographically the city of Brownsville covers about 30 square miles and we currently have 112 sworn officers twenty (20) of which are supervisors and mid-managers. Additionally we have 33 civilian or support personnel. This, to say the least, is far from adequate to cover every given situatuion where police service is required. The number of calls for service is such that many times citizens may have to wait as long as thirty (30) minutes before an officer can assist them with their problem.

This brings us to the issues under consideration by this committee. In order to effectively launch a full scale and effective drug enforcement program within our City it would take about twenty (20) officers to work the street drug peddlers and bulk smugglers. The only unit we currently have is the Cameron County Organized Task Force. This force consists of two (2) field officers, a supervisor, and a secretary. This is hardly a beginning in trying to effectively deal with our narcotics traffickers in our jurisdiction.

Because of our current economic situation we have not been able to hire additional personnel to reinforce our ranks and adequately serve the day to day activities of police service much less to implement a specialized adequately manned and fully equipped narcotics enforcement unit. Over the years our Crime Task Force has in combination with the various Federal Law Enforcement agencies, addressed drug trafficking. However, this system appears hardly adequate since these Federal agencies are not adequately staffed either. Even so, a great number of cases have been made with their combined efforts and they are to be commended for what they have accomplished with limited resources.

How can we as Law Enforcement officers address the ever growing problem of narcotics and drug trafficking?

Gentlemen, this has been and will continue to be a very serious and important question to all in Law Enforcement and certainly to the citizens that we serve. Initially in the late 60's the Omnibus Crime Control Act through the Law Enforcement Assistance Administration provided Federal funding to assist Law Enforcement in their efforts against the ever increasing crime problem in the Unite States. The act served its purpose well, with perhaps some reservation.

Since the abolishment of the Law Enforcement Assistance Administration the state of Texas has now taken on the responsibility of categorical grant assistance to local Law Enforcement agencies. However, the same criteria to determine how these funds are distributed to the various regions remain basically the same as they were when Law Enforcement Assistance Administration was in effect. The funds are distributed on the basis of population density and the statistics shown by the uniform crime report of each individual region. Of course we find more people and higher crime figures in the metropolitian areas of this state -- and I have no argument with these areas getting their share of government assistance for Law Enforcement and other criminal justice projects. But they do receive a larger portion of available funds based on the criteria used for distribution. However, let me point out again that we on the U.S. - Mexican border do have a unique law enforcement problem. I said earlier in my testimony that although we only number about 90,000 citizens in Brownsville it has not bee taken into consideration that we have 50,000 winter visitors in our area form September to April; and that we have a sister city on the Mexican side of the border with 350,000 citizens and a great precentage of them commute to and from Brownsville. Many come inot our community for legitimate purposes, others do not.

I must say that Federal, State, and local Law Enforcement agencies on the U.S. - Mexican border are the "Front line" units combating the ever growing narcotics and dangerous drugs smuggling into the this state and the entire country. We must never forget that every ounce of heroin; every kilo of marijuana and pound of cocaine that comes through our defense at the border will eventually end up being used by some young man or woman somewhere in this country. Therefore, it is imperative that the Law Enforcement agencies along the border are properly staffed and fully equpped to effectively address this menace that is so adversly impacting on our way of life

I propose that we collectively, must do four things:

(1) Federal financial assistance must be provided to border cities in order that a community can develop and implement a good narcotics enforcement program. These communities should consider the formulation of a regional Task Force and

specifically program the target areas. I feel that local Law Enforcement can be more effective since the officers will have full and complete knowledge of the people and enviroment they will be working with.
When a agency has limited resources to do a job its effectiveness subsides accordingly.

(2) Federal agencies must consider assigning sufficent personnel and equipment to the border instead of the Metropolitan areas -- to increase the effectiveness and substantially reduce the chances for narcotics traffickers getting through with their illicit cargoes. In the same instance the mutual cooperation between Federal, State, and local agencies is a must. Without cooperation between Law Enforcement agencies we stand to lose the "War" against narcotics traffickers.

(3) United States attorneys offices and State District Attorneys must also be provided with additional personnel, and financial resources in order for them to vigorously prosecute violators. This will assure arrest and timely prosecution in these matters.

(4) A narcotics and drug abuse program should be developed at the elementary level in order that youngsters at a very early age begin to learn and understand the problems they will be faced with whould they someday be exposed to this type of activity.

Gentlemen, I have provided you with copies of our narcotics enforcement statistics in this report. I feel that the report is self explanatory and provides you with an idea of what we have to deal with in our geographical area.

In closing I must re-emphasize that one solution to our narcotics and drug abuse problem is to address it as close to the source as possible. In order to do this we need the necessary resources to carry out this mission. Plain, simple reasoning will dictate that keeping narcotics and dangerous drugs out of the country or minimizing their smuggling will prevent their distribution to our citizens.

I ask you, gentlemen, to take these matter under consideration. We are prepared to do more in narcotics enforcement, but we need assistance. Narcotics and Drug Abuse in our society impacts on all of us either directly or indirectly. Federal assistance to local agencies for the purpose of enforcing narcotics laws is just another method of appropiating funds of the defense of our countrys' welfare.

For Fiscal Year 1981 - 1982, the Task Force Unit in a combined effort with other agencies investigated a total of 82 narcotic and dangerous drug related cases. A total of 105 arrests were made as a result of the combined investigative efforts. Seizures of controlled substance directly related to these investigation are catagorized as follows:

(a) Marihuana - 3,956 pounds - 7 ounces
(b) Heroin - 21 pounds - ½ ounce - 16.9 grams
(c) Cocaine - 16 pounds - 13 ounces
(d) Other Dangerous Drugs - 803 hits LSD

Statistics for the Fiscal Year 1982 - 1983 reflect the following:

Total Narcotics & Dangerous Drugs Cases Investigated 76.
Total Arrests results of these investigation 78.
Total Seizures related to these investigaions:
(a) Marihuana - 6,208 pounds - 10 ounces
(b) Cocaine - 7½ pounds - ½ ounce - 3½ grams
(c) Other Dangerous Drugs - 49,188 Units (2,301 hits of LSD) combined in Units.

Dr. Maria Luisa Garza

CONGRESSIONAL HEARING
ON
DRUG ABUSE

December 12, 1983
Corpus Christi, TX

I am Dr. Maria Luisa Garza, Executive Director of the Gulf Coast Council of La Raza, Inc., a charter affiliate of the National Council of La Raza in Washington, D.C. The Gulf-Coast Council of La Raza is a community-based organization delivering social services in the areas of (1) Education for School Dropouts; (2) English as a Second Language; (3) Training and Employment for Handicapped Youth; (4) Prevention of Too-Early Childbearing; (5) Prevention of Drug Abuse.

A Drug Abuse Prevention Program is composed of all those activities that act as an intervention network to inform, educate, guide, protect, and stop youngsters from becoming involved in drug abuse.

The propensity and inclination to use drugs transcends all ethnic, economic, sexual, educational, and social backgrounds. Young people from the barrio, from the ghetto, from middle class and from the jet set groups have been and are experimenting with drugs with frightening consistency. The response from the public toward drug abuse has not been unlike the general response to other potential problems facing youth: Assuming the false notion that these problems occur to other people only, resort to punishment as a deterrant, use the situation to obtain publicity taking minimal action to solve the problem, or provide treatment and rehabilitation when the crisis erupts. None of these approaches is going to make a real difference in keeping young people from using drugs. The real impact is in the prevention of drug abuse. Drug Abuse Prevention Programs need the support of the community, the schools, the businesses, and the legislators. Drug Abuse Prevention programs need to be strenghten financially, not at the expense of curtailing treatment and rehabilitation programs, but as a priority measure to divert many youngsters from ever having to join a treatment and rehabilitation program. Society needs to become educated in the tremendous value a prevention program brings to everybody, not to mention the benefits in terms of savings of tax dollars that are used in treatment programs and the pain and destruction drug addiction brings to individuals and to entire families. School districts in particular need to become more accepting and more cognizant of the psychological impact the specialists from a drug prevention program can make in their school population. School districts need to become more cooperative with community-based organizations that specialize in providing drug prevention assistance and education.

For the past three years the Gulf Coast Council of La Raza has offered a drug prevention program to this community and surrounding areas. The grass roots people feel very grateful for the services we provide. These services include:

1. Individual counseling in the language the family understands best or prefers to use as a medium of communication.
2. Peer and group counseling in our center for dropouts, in the homes, in the schools, (when asked).
3. Family counseling including grandparents and grandchildren. Counseling sessions are held in the home if preferred.
4. Educational activities in drug prevention with continuous follow-up activities to reinforce the material presented.
5. Networking with other agencies to make referrals, if needed.
6. Education in academic subjects leading toward obtaining a GED; or returning the youngsters back to their respective school districts after a period of readjustment.
7. Employment leads, preparation for entry-level employment skills, and job search.
8. Recreational and social activities.

Community-based organizations are better able to deal with students, dropouts, and "push-outs" than any other educational, judicial, or detention institution. This is true because we are in constant communication and direct contact with the grass roots people, with parents of students participating in other programs, directors of other agencies, with the students we serve on a one-to-one bases, with members of the law enforcement and probation officers, and many other individuals who work with youth on a daily basis. Networking with participants in other programs becomes very important in the prevention of drug abuse activities.

RECOMMENDATIONS

1. Appropiate sufficient financial support for the implementation of drug prevention programs that deal directly with the potential users and deliver direct services to families, community groups, and other agencies.

2. Allow community-based organizations to implement programs of drug prevention and delivery services directly to the participants, potential users, families, classrooms, and other groups. Community-based organizations are the only other institutions that can work with youngsters school distructs cannot retain.

3. Drug Prevention Programs must involve the entire community and the entire family placing emphasis in drug education at a very early age.

4. Drug Abuse Prevention Programs need stronger financial support to provide a more intensive and a more extensive service in preventing youngsters from ever entering a drug treatment and rehabilitation program. The recidivism rate of treatment and rehabilitation programs is very high to ignore the prevention aspect of drug abuse.

5. Raise the level of awareness concerning the benefits of prevention rather than acting under crisis by holding more meetings in the local communities and allowing the parents, the educators, the social workers, and the legislators to participate in these programs.

PALMER DRUG ABUSE PROGRAM

December, 1983

REPORT OF ROBERT WARREN, EXECUTIVE DIRECTOR,
PALMER DRUG ABUSE PROGRAM -
BROWNSVILLE

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EXECUTIVE DIRECTOR

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I am Robert Warren, A Brownsville resident, certified alcohol and drug abuse counselor and Director of the Palmer Drug Abuse Program - Brownsville. I also serve as Vice-president of the Valley Association of Alcohol and Drug Abuse Counselors and on the Regional Alcohol and Drug Abuse Advisory Committee as well.

My hope is to bring you my opinions on the topics you have outlined from three perspectives: first as a drug addict and alcoholic who sought treatment in Texas; second as a client of different treatment facilities (private and public); and third as a professional in the field for six years, having worked in North Texas, West Texas, Central Texas and presently in South Texas. I have been employed by the Palmer Drug Abuse Program all of this time and in Brownsville for the past eight months. Prior to my recovery, I made frequent trips to South Texas to acquire drugs.

The first topic I would like to address is the extent of drug abuse in the area. My experience has led me to conclude that younger children are beginning to experiment--nine, ten, and eleven-year-olds. The use of marijuana and alcohol has permeated every social and economic strata to the point that it is accepted as normal behavior for teenagers to use marijuana and alcohol. In my opinion, other drugs that are being abused more all the time include valium, barbituates, amphetamines, sedatives, opiates and inhalants. These drugs are quite accessible in Mexico and by anyone of any age. This was well-documented by Pam Warrenburg, a local television newswoman, who did an expose on this subject. The teenagers I have worked with have all (with the exception of two), abused prescription medications secured in Mexico. This group consists of teens from twelve to fifteen, the average age being fifteen to sixteen. I consider this very serious. With all my experience, I have never lived in a geographic area where drugs were so easily acquired.

The second question I would like to address is the inadequacy of available treatment in the Valley area. It is estimated that there exist approximately 27,500 alcoholics, exclusive of other kinds of chemical abusers. For every chemical abuser, there exists an average of four family members in need of treatment. This means that there are 110,000 people in need of treatment from the effects of alcoholism alone. There are approximately fourteen certified alcoholism and drug abuse counselors in this geographic area. The facilities

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here leave some rather large gaps. There is only one private in-patient treatment center in the area, and the cost factor involved makes this facility out of reach of the average client. The MHMR system will not accept anyone with a medical condition, which in my opinion, is ludicrous. Most chemically dependent clients have definite medical needs other than their addiction. On two occasions, referrals I made were rejected for this reason. Additionally, there are only a few programs which exist to service the adolescent client and family. These services are the Palmer Drug Abuse Program, Fairlight, Alcoholics Anonymous and Al-Anon. Only three Half-Way houses exist in the Valley, and they work primarily with middle-aged alcoholics. Our experience has been that they are able to serve their immediate vicinity only. I find this information very disheartening and depressing. It seems that the treatment facilities and professional staff are also overwhelmed and disheartened.

As far as prevention efforts, I am sorry to say my information is pretty much limited to the immediate Brownsville area. In Brownsville, three agencies exist that provide programs to the public for chemical abuse prevention education. We at the Palmer Drug Abuse Program have been booked solid since we opened in April and have had to turn down speaking engagements due to the lack of staff and time. I believe that more resources should be allocated to this area, especially for prevention education. The programs available tend to be archaic and not current as far as new modalities. I also feel that chemical abuse prevention literature is not readily available due to the expense. The Palmer Drug Abuse Program makes literature available, but it is so expensive that we have already exceeded all budgeted funds designated for this purpose. Ordering pamphlets from the U.S. Government Printing Office is prohibitive due to cost. My suggestion would be to make these available at a reduced cost or free to non-profit organizations.

The following are suggested ways to attack the problems associated with alcohol and drug abuse:

a. Provide legislative endorsement of the National Association of Alcoholism and Drug Abuse Counselors as well as the Texas Association of Alcoholism and Drug Abuse Counselors.

b. Cut the red tape, and invoke legislation allowing private industry to open treatment facilities within a reasonable time. Also provide string-free funds to these facilities.

c. Provide funds through legislation for agencies willing to operate prevention programs (including school districts).

d. Most important of all, review the MHMR system, its cost effectiveness and, in my opinion, needless waste of funds on administrative functions instead of treatment personnel. Also, in this review of the MHMR system, I would encourage the review of staff education of those disseminating chemical dependency information and administering treatment programs. It is my opinion that a lot of personnel in this system are inadequately trained in this highly specialized field. I would also encourage the legislation necessary to make the Texas Commission on Alcoholism broaden its scope and become the Texas Commission on Chemical Abuse. It is an antiquated notion that alcoholism and drug abuse are different.

I hope that the information contained in this report is helpful to the committee. I appreciate the invitation to share my opinions and views. They are drawn from my experience and consultation with other people from this area. Again, thank you, and if I can be of further assistance, please feel free to call upon me.

Sincerely,

Robert B. Warren, CADAC
Director, Brownsville PDAP, Inc.

RESOURCE MATERIALS:

1. Regional Alcoholism Plan 1984.
2. Texas Association of Alcoholism and Drug Abuse Counselors Director 1982-1983.
3. Resources for families: Publication by the Valley Regional Council of Alcoholism and Drug Abuse.
4. U.S. Government Printing office Cataloque of Alcohol Publications Available (MS210).

PREPARED STATEMENT OF DAVID M. POLLARD, M.A.
TADAC, TRAINED PROFESSIONAL COUNSELOR
KLEBERG COUNTY SUBSTANCE ABUSE PROGRAM, KINGSVILLE, TEXAS

Dear Mr. Rangel, and members of the select committee on Narcotics Abuse and control of the U.S. House of Representatives

I feel there is a big gap in the prevention, education, treatment, and rehabilitation efforts in drug abuse. More effort needs to be placed in the elementary school area where four cases of children using heroin have been reported this year. Last month a girl in the second grade was sent to treatment as she was "strung out" on amphetamines. In speaking to the Junior High Schools I have discovered many of the students are using qualudes and "yellows", of course it is understood they are drinking alcohol and smoking marijuana. Now it seems the more immediate danger is eight graders selling and giving drugs to sixth graders. In my hometown Kingsville, which has approximately 30000 population, I would estimate there are about 300 users of heroin. Cocaine is the popular drug at this time and many young people in their 20's are spending $20,000. per year on it.

Some of the programs in place are a halfway house in Corpus, Detox Center, MHMR Substance Abuse Center - residential and halfway house; private medical facilities - which cost $4000. to $10000. per month; small preventive and education programs; methadone clinic with out-patient and follow-up; and Harlingen Detox Center-two weeks to a month residential treatment.

Many of the programs are concentrated in Corpus and the rural areas have little or no facilities or knowledge of how to handle these problems. Many of the medical problems of the addicts can't be treated due to county hospitals not accepting this expense. Drug abuse centers will not accept out of county addicts due to lack of room. Psychological expertise is at a minimum and there is a lack of family treatment. Employment skills are antiquated as they are, for example: a) welding for two months and one can't get a job or b) oil field related and the oil field is down. Many of the programs are alcohol related and will release an addict after detoxing rather than sending him through the psychological program. Addicts with psychological troubles or schizophrenia will not fit in programs for schizophrenics or drug programs. They are bounced back and forth and usually denied treatment where they most desperately need help. When addicts come to me for help that they do not have insurance and it is usually two or three weeks before the can get into residential treatment. Many of the children that are addicted cannot be reached. There is much denial in the schools and it is hard to approach the schools to help the children there.

Drug education done in the schools is a form of treatment. Treatment in a facility begins by making the client aware of his problem, getting past the denial syndrome, educating the client of damaging effects of drugs, and getting commitments using group pressure to create a more realistic reality where a "drug free" behavior is acceptable. When approaching students in a classroom situation where materials and facts are presented this is the beginning of treatment of a disease. Drug addiction as in alcoholism is a family disease. The identified patient, the addict is a member of a psychologically sick family. Most of these children cannot be reached other than in a classroom situation. Just one presentation is not enough. Students which react need further assistance in adjusting to their feeling, learning to express them, and being able to get out from under family pressures through this education and understanding. The schools need to ask families to go into treatment and require at least two or three counseling sessions where referral or counseling is done by the school counselors. Many times the school counselors are logged down with duties and do no actual counseling.

If a family comes in for treatment it is begun by discussing the identified patient's problems; Drug addiction and abuse. This is usually related to other problems in the family as problems of drug addiction or alcohol abuse of the parents or that the parents need to work on their relationship. The responsibility of becoming drug free must remain with the addict but other relationships and behavior in the family must be treated. This treatment must be done in the area the addict is from and in his hometown where the family is residing. By enabling the children to understand the pressures they are under and not attempting to relieve family pressures by using drugs. Many addictions may be prevented. Many times the addict is the scapegoat of the family. When family pressures build and there is trouble in the parent's relationship, the addicted child or identified patient begin having trouble in school and using drugs. This shifts the attention away from the parental relationship. Preventive techniques need to help teachers, school counselors and administrators identify these students and give them a way to enter these students into treatment where the whole family and important friends of the client are involved. Counseling should be set up in the DEG centers. Many of these students are not identified as needing preventive treatment. They are straight A students and perform leadership roles at the school and are overcompensating for the trouble in their homes. These students will eventually become addicts as they leave high school or college and finally breakdown from the pressures built up by this reaction. Students need to learn to identify the role they play in their family. Are they having to play an adult role due to the absence of a father or being a member of a single parent family. Are they the oldest child in the family? Family roles must be clarified in order to prevent addictions in the future.

There is too much division between schools, agencies, and law enforcement; and energies are wasted. More education of leaders of the communities, schools, and law enforcement are needed. Schools must somehow take on this responsibility of educating its students as to the psychological effects of family relationships and dissention among its members. It is useless to try to educate students that have no memories or ability to retain knowledge. There are problems in educating a top student in physics that is unknowingly overcompensating for family trouble at home and will eventually become an addict and be unable to use his Ph.D. Students, parents, educators, law enforcement, and the population in general must be made aware of the crises of the situation, the large numbers being affected, and the solution to the problem. Eighty-five percent of the people sent to prison will return to prison when released. Every area that works on this problem is important as in punishing "dealers" and people making a profit off others psychological illnesses and destroying what is left of their mental health for a profit. But cutting off drugs availability and sending people to prison or all rebounding as the psychological illness is sometimes cured but usually remains. The addict will find a way to get his drugs. The addict needs to be in a drug free environment for a short period of time where he will have no access to drugs and be completely detoxed. If it is not possible to have this facility the families must be trained to help take on his responsibility. Each community needs a facility of this sort. The family must be treated along with the addict. Most of the concentration is placed in the cities which have about half the population. The other half of the population goes untreated. This disease reminds one the reference in the bible where suffering is handed down from generation to generation. If the whole family is not treated much is not accomplished. The schools are the only places where children are available for treatment. The next step would be to identify problem students and call the family in for treatment. Many times the students are expelled from the school for long periods of time and the disease continues.

In order for our notion to become psychologically healthy and not have the need for drugs to relieve tension and pain more money is needed in education, treatment, and prevention programs. Many of the best trained and well educated colleagues of mine have gotten out of the field of drug abuse and only a few qualified people remain due to lack of funds and ability to maintain their own families. People with addictions do not want to be helped. There is mass denial and embarrassment associated with this disease much as in alcoholism. This denial spreads from the individual, to the family, to the various agencies; feeling that they are inadequate if they admit to having these problems. Feeling of guilt and failure are associated with these problems and thus the disease becomes not only a family illness but a community illness. Unless more money is spent in educating people of the psychological illness that is throwing a shadow across our nation and blocking the normal development of our children we will become even more diseased. The mass movements, advertisements, chemical people show, Lions Club activities, contributions from civic organizations, parent support groups, are helping to combat this disease. But is growing as a cancer in the very soul of our people. The ADM alcohol, drug, and mental health block grant has had a large impact on communities in Texas. Competiveness and misunderstanding between agencies and the communities must be identified and brought into the open. Feelings of law enforcement that "treatment" is too easy on the criminal, after their long hunt and capture, must be dealt with. It is very frustrating to feel that the Judicial system has let the addict off or that he is just sent to a treatment program. The addict needs to be sent to treatment earlier in the process and not as an alternative to punishment or prison.

Many times County jails are used as detox places where drugs are not available to its clients. Treatment of these prisoners and their families and children could be set-up at this time through available agencies.

Urinanalysis systems could be set up through schools and law enforcement agencies where treatment is demanded of the whole family if urine results are positive. Laws need to be legislated where families of addicts are required to meet to discuss addiction and family roles, etc. A treatment specialist should be assigned to each county to organize schools, law enforcement agencies, civic organizations, etc. into adequate facilities to help these families.

Perhaps communities without halfway house could use jails; schools should contact agencies, teachers and counselors trained to treat students; school administrators should take active roles in treating students, and this being viewed as educational; drug usage should be understood as a disease and not just pleasure seeking; more advancement is general understanding of couples therapy and family therapy of students; general publically forced treatment of addicts and their families through law enforcement and judicial agencies; more funding for treatment, prevention, educational programs that get the parents involved; trained people organizing preventive techniques in rural counties.

This disease has grown to such proportions that it is reaching our elementary school children; not only from pressures created in the home from alcoholism and drug abuse, but also actual drug usage by elementary school aged children. This is where more money needs to be spent in order to stop the spread of addictions in its beginning stage.

Thank you,

David M. Pollard, M.A.
TADAC
Trained Professional Counselor

KLEBERG COUNTY SUBSTANCE ABUSE PROGRAM
720 E. LEE
KINGSVILLE, TX 78363
595-1712

STATEMENT

OF

RICHARD SALWEN, ESQ.

MEMBER OF TEXANS' WAR AGAINST DRUGS COMMITTEE

DALLAS, TEXAS

ON

RECOMMENDED FEDERAL EFFORTS TO
REDUCE AND PREVENT DRUG ABUSE IN THE UNITED STATES

BEFORE THE

SELECT COMMITTEE ON
NARCOTICS ABUSE AND CONTROL
U.S. HOUSE OF REPRESENTATIVES

DECEMBER 7, 1983

Mr. Chairman and distinguished members of the Select Committee on Narcotics Abuse and Control, it is a pleasure to appear before you today. I would like to speak with you about the history and programs of the Texans' War Against Drugs Committee, and the effect those programs have had in reducing drug abuse among young people in the State of Texas. I would also like to make several recommendations to the Committee regarding federal actions which Texans' War Against Drugs Committee believes will be the most helpful in reducing drug abuse in America.

The Texans' War Against Drugs Committee was formed in February, 1979, by Executive Order of the Governor of the State of Texas, and given responsibility for determining and implementing strategies to decrease and prevent drug abuse in Texas. The persons appointed to serve on the Committee are not traditional "experts" in the field of drug abuse. Because traditional thinking had had little or no success in reducing drug abuse, the people chosen were community leaders with a reputation for innovative thinking and forceful action, who were willing to donate a great deal of time and effort to finding a solution to the drug problem. As chairman, the governor chose Ross Perot, the founder and chairman of Dallas-based Electronic Data Systems Corporation. Perot had proven time and again his dedication to the betterment of America, and had a record of always pursuing a project to completion.

The Committee spent its first eight months studying every aspect of the drug culture and previous efforts to combat abuse of drugs. They studied the law, penal institutions, medical research and the courts. They visited headshops, rehabilitation centers, halfway houses and local jails. They talked with nationally known experts in the field, with volunteers, with parents whose children had fallen prey to the cancer of drug abuse, and with young abusers and ex-abusers themselves. In short, the Committee left no stone unturned in determining a direction.

Because available time and money were both limited, the Committee had to select and focus on the aspects of the drug abuse problem where the most good could be done. It was determined, first, to focus on prevention, rather than treatment and rehabilitation, because prevention has a much more attractive cost/benefit ratio. This is not to say that treatment and rehabilitation of those who are being damaged by drugs today is unimportant, or that it should be ignored. However, the primary focus must be on prevention, to best utilize scarce resources.

Next, the Committee concluded that effective prevention must function to reduce both the supply and the demand sides of the drug abuse equation. If tough law enforcement efforts reduce the supply of illegal drugs, but no reduction occurs in demand, new suppliers will jump into the market at higher price levels. If we work solely to reduce demand through education and protection of our young people, the suppliers, right down to the classmates and friends on the street level, will redouble their efforts to win new converts to the drug culture. The situation is insidious because drug abusers need new converts through which to finance their own habits. If we can reduce supply and demand simultaneously, however, the problem will not tend to regenerate itself.

The Committee also decided that the primary focus of our efforts should be on protecting young people between the ages of 10 and 18. Recent figures compiled by the National Institute on Drug Abuse show that the initial age of drug abuse has moved downward to the point that, currently, most young people who will use the "gateway" drugs (alcohol, marijuana) have done so by age 14; and that very few first time users of these substances start their use after age 18. Consequently, effective prevention efforts must be directed at this age group.

Finally, the Committee decided that our primary (but not sole) focus must be on marijuana. In light of the overwhelming medical evidence that marijuana is a very dangerous substance, especially to growing minds and bodies; in light of the fact that marijuana is a "gateway" drug which leads psychologically (if not physically) to the use of other more potent mind-altering substances; in light of the wide-spread use of marijuana by young people (more than 60% of high school seniors have used marijuana, and nearly 10% are daily users); in light of the relative ignorance of most parents regarding the scope and dangers of the problem; in light of wide-spread myths and misrepresentations to the effect that marijuana is a harmless, or possibly beneficial substance; and in light of the relatively strong and effective efforts of other groups in the field of alcohol abuse prevention, the Committee concluded that our major thrust should be toward protecting our young people by reducing the marijuana epidemic in our society today. At the same time, the programs described below do not ignore abuse and prevention of other drugs, including heroin, cocaine, pills, inhalants, and alcohol.

Ultimately, after months of intensive study, the Committee developed a three-pronged approach to the prevention of drug abuse, in line with the conclusions and guidelines described above. This three-pronged approach is as follows:

First, the Committee's study had led it to conclude that criminal laws related to drug abuse in Texas were terribly inadequate, especially the legal provisions which law enforcement agencies needed to apprehend and convict the criminals dealing in large commercial quantities of illegal drugs. A package of new legislation to remedy this situation was developed in conjunction with Baylor University School of Law, was introduced in the Texas State Legislature, and was enacted in 1981. A synopsis describing that legislation is attached to this statement.

Second, the Committee concluded that law enforcement officers, judges, and prosecuting attorneys all across the state of Texas need better opportunities for education about the abuse of illegal drugs, the drug culture, and the Texas laws relating to drug abuse. To provide a better opportunity for those responsible for enforcement of drug laws in the criminal justice system, the Texans' War Against Drugs Committee has developed and sponsored more than fifty seminars and conferences for judges, attorneys, and police officers throughout the state since 1980. The goal of this effort is tough, uniform justice administered fairly and impartially in each criminal case related to drug abuse. Although this ambitious goal has not been fully realized as yet, we have seen significant progress, particularly in those rural jurisdictions where there previously was little or no opportunity for comprehensive training related to drug laws.

Third, and most important, the Committee set out to develop and implement strategies which would protect young people in Texas and prevent the initial entry into the drug culture. In this area, the Committee has developed multiple approaches. Because young people learn most readily from their parents, top priority has been given to educating parents throughout the State on the dangers of drug abuse to children and young people (and especially, in detail, the dangers of marijuana); on the ways in which young people become involved in drug abuse; on the ways in which parents can identify and discover drug abuse by young people at an early stage, before it becomes uncontrollable; and on a comprehensive set of specific, effective steps and actions which parents and other adults may take to protect the young people in their care and prevent the onset of drug abuse. The programs selected by the Committee to carry out these objectives are, by and large, not new. Instead, they are programs and tactics that the Committee found during its months of research to have been effective in other communities such as Atlanta, Georgia and Naples, Florida. With very little change, the Committee was able to adopt these programs for use in Texas.

What was new, however, was the way in which the Texans' War Against Drugs Committee organized the dissemination of its programs to obtain maximum effect in communities all across the State of Texas. Although the concern of Texas parents (like parents everywhere in America) was great, it would have taken far too long to initiate and build a single purpose grass-roots organization around the programs selected by the Committee. Consequently, the most effective existing major service organizations in the State were brought together and requested to adopt the conclusions, programs, and strategies of the War Against Drugs Committee as their own. Leading organizations which responded favorably to this call include Texas Congress of Parents and Teachers (PTA); the Texas Junior League; Texas Medical Association Auxiliary; the Texas Extension Homemakers Association; and the Lions Club International (which has adopted the Texans' War Against Drugs programs as a worldwide priority project).

A detailed manual describing the specific strategies and programs adopted by the Texans' War Against Drugs Committee and the other organizations listed above is attached to this statement, entitled "Drug Education Training Manual and Resource Guide".

To spread the information further, the Committee has supported teacher in-service programs, has organized community-wide drug awareness rallies, has conducted and participated in radio and television call-in programs, has produced and distributed many different kinds of literature (including a comic book describing the dangers of marijuana), and has served as a resource for state and local agencies and community leaders and organizations. We have emphasized the problems encountered in the minority communities, and have a full-time minority field coordinator as part of our professional staff of ten people.

The activities of the Texans' War Against Drugs Committee have had a significant effect in reducing drug abuse in the State of Texas. Diversion of prescription drugs on the illegal street market has been significantly reduced by the operation of the Triplicate Prescription statute which the Committee developed. More than 390 parent groups have been organized in at least 150 cities and towns across the State. The level of knowledge about the dangers of drug abuse is demonstrably higher than three years ago. Most junior high and high school students no longer view drug abuse as "hip" or "cool". For the first time in twenty years, the trend of drug abuse has leveled, and is beginning to decline.

The activities of the Texans' War Against Drugs Committee have drawn nationwide attention. Governor William Winter of Mississippi, using the Texas model, has implemented a program called DREAM in his state. Governor Brown of Kentucky sent a five person team to Texas, who spent two days reviewing every aspect of the War Against Drugs organization and activities. Kentucky has now implemented a similar program. Representatives from Texans' War Against Drugs have made presentations to three governors and assorted other officials in at least thirteen states. Ross Perot, Chairman of the War Against Drugs Committee, and Robbie Risner (Executive Director of the War Against Drugs, now retired) have worked closely with Nancy Reagan in developing her current activities to reduce drug abuse in the United States.

Despite the widespread attention and the significant benefits derived from the activities of the Texans' War Against Drugs Committee, much remains to be done. In particular, the Committee recommends the following areas in which we believe the federal government should take the lead and bring its resources to bear:

A. We believe that the federal government needs to concentrate more and better resources to counteract the myths that marijuana is harmless or medically beneficial. Better research and broader, more aggressive dissemination of the facts are both needed. As with almost every other issue, better-informed citizens can and will make better choices and take better action within their families, neighborhoods, and communities.

B. Although we appreciate the recent increase in federal enforcement efforts to intercept the flow of illegal drugs into the United States and apprehend the smugglers and distributors of these substances, we believe still more needs to be done. In particular, more emphasis needs to be given to the Texas coast, the border with Mexico, and the problem of "midnight airlines" landing at small air strips.

C. Perhaps the most important recommendation is that the government dramatically increase and improve its efforts to stem the flow of marijuana, cocaine, and opium-derived drugs at the source by conducting widespread and effective eradication programs, both at home and abroad. Eradication is by far the most cost-effective means of preventing illegal drugs from reaching the consumer on the typical high school campus. The furor over paraquat is truly a "tempest in a teapot". This herbicide is used to treat fields throughout many areas of the United States, with no hazard or harm to human life or health. It is a sham to suggest that paraquat suddenly becomes dangerous when used to eradicate marijuana.

D. Federal funds, and the time of federal personnel, should be used in greater measure to provide better, more comprehensive training for local law enforcement agencies so that the local agencies can better provide tough, uniform enforcement of laws related to illegal drugs. The effectiveness of federal agents, prosecutors, and judges can be multiplied manifold times if their local counterparts receive training comparable to their own.

Finally, let the parents, once they have become informed and motivated, work within their communities to restore the drug-free environment that all our children deserve. If America is to remain a great nation, a world leader in technology, and a wholesome place to live and bring up future generations, we must all work together to excise the cancer of drug abuse that destroys our most vital resource -- our youth.

Thank you for listening to my testimony. I will be happy to try to answer any questions you may have.

TEXANS' WAR ON DRUGS LEGISLATIVE PACKAGE

The package of legislation developed by the Texans' War on Drugs Committee and successfully enacted in the recently completed regular session of the 67th Texas Legislature includes the following:

Delivery to Minors - This new law significantly toughens penalties against adults who deliver marihuana or controlled substances in Penalty Groups 1, 2, or 3 to persons 17 years of age or less. Persons convicted of such deliveries will be subject to first degree felony penalties under the new statute. In addition, there will be no deferred adjudications permitted for such convictions, assuring that persons convicted of delivering these drugs to minors cannot avoid a felony conviction record.

Trafficking - This new statute changes Texas law with respect to drug-related crimes in several areas. First, it makes conspiracy, solicitation, and attempt sections of the Penal Code applicable to offenses under the Controlled Substances Act. Second, it significantly toughens penalties for possession or delivery of large, commercial quantities of illegal drugs. Third, it broadens the circumstances under which vehicles, vessels and airplanes can be seized in connection with drug enforcement activity; and makes it possible to seize all proceeds derived from illegal drug-related criminal activity. Fourth, it changes the burden of proof for such seizures, making it possible to obtain forfeitures if the right to seizure can be proved, by a "preponderance of the evidence", rather than "beyond a reasonable doubt". Fifth, it provides for money seized by law enforcement authorities to be retained by the seizing authority for later use in drug enforcement activities. Sixth, it establishes penalties for knowingly financing, or investing in, illegal drug-related activities. Finally, it permits large quantities of marihuana which have been seized to be promptly destroyed after being weighed, measured, and photographed.

Drug Paraphernalia - This new law prohibits the manufacture, delivery, and possession of "drug paraphernalia". It contains specific requirements that the intent of the defendant be proven before a conviction can be obtained. However, the statute also provides for the seizure and forfeiture of drug paraphernalia; and, under the provisions in the "Trafficking" bill mentioned above, the right to such seizures can now be proved by a preponderance of the evidence. Consequently, it should be possible to close down the "head shops" by seizing and confiscating their inventory of drug paraphernalia.

Triplicate Prescriptions - Under the provisions of this new law, the Department of Public Safety will establish a program which will require prescriptions for Schedule II drugs (including opium derivative drugs, amphetamines, barbituates, and methaqualone) to be written and filled using a "triplicate" form, with one copy sent to DPS for computer analysis. This program is an effective investigative tool to find the "pill pusher" doctors and pharmacists; and also serves as an extremely effective deterrent against such illegal activities by health care professionals.

Professional License Revocation - This new law permits the licenses of health care professionals convicted of drug-related felony crimes to be revoked on an immediate basis, in contrast to present law, under which delays of up to two years have been experienced. It also prohibits reinstatement of the license of the convicted professional unless the licensing board makes an explicit determination that such reinstatement is in the best interest of the public and the individual professional involved.

SUMMARY OF WAR ON DRUGS LAWS

I. Delivery of Illegal Drugs to Minors

- A. Imposes tougher jail sentences and fines against adults selling drugs to minors.
- B. Makes it impossible for adults selling drugs to children to avoid criminal conviction record by serving probation.

II. Drug Trafficking - Aimed against those who deal in large, commercial quantities of illegal drugs.

- A. Makes it a crime to finance large-quantity illegal drug deals, or knowingly receive or invest funds derived from such deals.
- B. Makes conspiracy, solicitation, and attempt provisions of Penal Code applicable to large-quantity illegal drug crimes.
- C. Imposes tough, new penalties against persons convicted in connection with large-quantities of illegal drugs.
- D. Makes it easier to seize the planes, ships, vans, etc. used for distribution of illegal drugs.
- E. Makes it possible to seize all assets and proceeds derived from illegal commercial quantity drug deals.
- F. Provides for prompt destruction of illegal drugs seized by authorities.

III. Drug Paraphernalia

- A. Outlaws manufacture, sale and possession of paraphernalia intended for use with illegal drugs.
- B. Provides for seizure of drug paraphernalia.

IV. Triplicate Prescriptions

- A. Reduces prescription forgeries by enhanced control over prescription blanks.
- B. Provides computer analysis of prescriptions for Schedule II Drugs (the most dangerous group).
- C. Reduces diversions of prescription drugs to the illegal street market.
- D. Protects privacy of physician-patient relationship.

V. Professional License Revocations

- A. Provides for immediate suspension of license of health care professional convicted of drug-related felony.
- B. Provides that licenses removed for drug-related felony convictions can be returned only if licensing board finds reinstatement in best public interest.

NEW PENALTIES FOR DRUG TRAFFICKING

MARIJUANA

Delivery:

1. Less than 1/4 oz. without remuneration - Class B Misdemeanor
2. Less than 1/4 oz. with remuneration - Class A Misdemeanor
3. More than 1/4 oz., up to 4 oz. - 3rd Degree Felony
4. More than 4 oz., up to 5 lb. - 2d Degree Felony
5. 5-50 lb. - 1st degree felony
6. 50-200 lb. - aggravated felony, 5 yrs-life, up to $50,000 fine, no deferred adjudications permitted.
7. 200-2,000 lb. - aggravated felony, 10 yrs. - life, up to $100,000 fine, no deferred adjudications permitted
8. Over 2,000 lb. - aggravated felony, 15 yrs.-life, up to $250,000 fine, no probation permitted, no deferred adjudications.

Any violations of number 6, 7, or 8 above by persons with previous felony drug convictions would trigger the following penalties:

6. 10 yrs. - life, up to $100,000 fine, no deferred adjudication
7. 15 yrs. - life, up to $250,000 fine, no probation, no deferred adjudications
8. 20 yrs. - life, up to $500,000 fine, no probation, no deferred adjudications

Possession

1. 2 oz. or less - Class B misdemeanor
2. 2 - 4 oz. - Class A misdemeanor
3. 4 oz. - 5 lb. - 3rd degree felony
4. 5-50 lb. - 2d degree felony
5. Possession of more than 50 lb. of marijuana carries the same penalties as delivery of the same amount would carry, as described in number 6, 7, and 8 above, including prohibitions against deferred adjudication and probation, and special provisions for repeat offenders.

PENALTY GROUP ONE

Delivery

1. Less than 28 grams - 1st degree felony
2. 28-200 - aggravated offense, same penalty as item number 6 under delivery of marijuana
3. 200-400 grams - aggravated offense, same as item number 7 under delivery of marijuana
4. over 400 grams - aggravated offense, same as item number 8 under delivery of marijuana.

Repeat offenses for items 2, 3, and 4 are the same as for items 6, 7, and 8 respectively under delivery of marijuana.

(Penalty Group One - cont.)

Possession

1. Under 28 grams - 2d degree felony
2. 28-400 grams - same as item number 6 under delivery of marijuana
3. Over 400 grams - same as item number 7 under delivery of marijuana

Repeat offenses for 2 and 3 same as for 6 and 7, respectively, under delivery of marijuana.

PENALTY GROUP TWO

Delivery - Same penalties, throughout, as are applicable for possession of Penalty Group One drugs.

Possession

1. Less than 28 grams - 3d degree felony
2. 28-400 grams - same as item number 6 under delivery of marijuana
3. over 400 grams - same as item number 7 under delivery of marijuana

Repeat offenses for 2 and 3 same as for items 6 and 7, respectively, under delivery of marijuana.

PENALTY GROUP THREE

Delivery

1. Under 200 grams - 3d degree felony
2. 200-400 grams - same as item 6 under delivery of marijuana
3. over 400 grams - same as item 7 under delivery of marijuana

Repeat offenses for 2 and 3 same as items 6 and 7, respectively, under delivery of marijuana.

Possession

1. Under 200 grams - Class A misdemeanor
2. Over 200 grams and repeat offenses - same as for delivery of similar amounts.

PENALTY GROUP FOUR

Delivery - Same as for Penalty Group Three deliveries, throughout.

Possession

1. Under 200 grams - Class B misdemeanor
2. Over 200 grams and repeat offenses - same as for delivery of similar amounts.

ILLEGAL INVESTMENT

A person who knowingly receives or invests funds he believes to be derived from illegal drug activities, or knowingly finances illegal drug activities is liable for 5 years - life imprisonment and a mandatory fine of $50,000 - $1 million; and deferred adjudications are not permitted.

ccdac

CORPUS CHRISTI DRUG ABUSE COUNCIL
P. O. BOX 2725 CORPUS CHRISTI, TEXAS 78401

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December 7, 1983

The Honorable Charles B. Rangel
Chairman
Select Committee On Narcotics Abuse and Control
Room H2-234 House Office Building Annex 2
Washington, D.C., 20515

Testimony - Corpus Christi Drug Abuse Council, Inc.

The Corpus Christi Drug Abuse Council was established and incorporated August, 1969, by two local physicians and other interested community individuals who felt the citizens of Corpus Christi, who were experiencing drug problems, needed this service. The agency is governed by a Board of Directors twenty-five (25) in number, that meet on a monthly basis. The primary services and program philosophy of this agency are education, treatment, and prevention of drug abuse. The administrative offices are located at 527 Gordon, Corpus Christi, Texas. Our purpose is two-fold: 1) A continuing identification of community needs related to drug abuse and drug information 2) Providing for these needs directly or through coordination of local helping agencies.

The Corpus Christi Drug Abuse Council operates two drug modalities, the Drug-Free After Care Program and the Methadone Clinic. The agency is funded by Texas Department of Community Affairs Drug Abuse Prevention Division, 2015 South I.H. 35, Austin, Texas. These funds are a part of a Block Grant received from Washington to Texas Department of Mental Health/Mental Retardation. The current funding year began October 1, 1983, through September 31, 1984. The Corpus Christi Drug Abuse Council received $247,498.00, 60% federal funds, to be matched locally by $164,999.00, 40% cash match. This is a eleven (11%) percent cut from the previous funding year. Total matrix of client slots are one hundred and eighty three with one hundred and eight out-patient methadone client s and seventy five out-patient drug free clients. This is a cut of twelve clients from previous funding year. The local cash match was increased from 35% to 40% in 1983-84 funding.

The Corpus Christi Drug Abuse Council experiences a difficult time acquiring the required cash match of $164,999.00. There are no city or county funds available. These funds are acquired on an annual basis with approximately $100,000.00 derived from United Way, Client fees, Criminal Justice (State Probation/Federal Probation/Parole/Texas Youth Council), Urinalysis testing, while approximately $65,000.00 are secured by fund raising activities and donations. It should be noted that Federal Law prohibits refusing services to a client for inability to pay and clients must be charged as per sliding scale. The public and clients assume the program is totally federally funded and unless a drug abuser with problems exists in private individual homes, it is simply not a problem and funding is of no interest to the community. The Corpus Christi Drug Abuse Council Board of Directors reviews the budget and funding situation to determine the possibility of operations on an annual basis.

The Corpus Christi Drug Abuse Council services clients from six counties to include Nueces, Kleberg, Aransas, Bee, San Patricio, Jim Wells. There are approximately 2000 heavy drug abusing citizens in Corpus Christi proper not to include all of the people who use marijuana or soft drugs on a daily basis. This agency is only funded to handle one hundred and eighty three clients and at the present time we are servicing 227 clients on a monthly basis. The additional clients are seen after hours on personnel's personal time. There is a client waiting list of fifty two persons. There is no way to expand agency operations due to difficulty obtaining financial cash match of existing budget. Potential clients and waiting list clients continue to check on a daily basis for admission to CCDAC and in addition are referred to the State Hospital, Private Programs, or MHMR Drug Program.

The Corpus Christi Drug Abuse Council Drug Free/After Care Out-Patient modality currently has a matrix of ninety-nine clients with twenty two admissions and sixteen terminations for the month of November, 1983, of the existing matrix 70% are employed, 19% unemployed, 8% students, 3% Homemakers. There were 84% males, 16% females and the ethnic distribution was 28% Mexican American, 65% Anglo, and 7% Black. The Drug Free/After Care modality conducted twenty six (26) intake interviews and three hundred and nine counseling sessions, averaging three counseling sessions per client. There were thirty five (35) positive urinalysis twenty two (22) or which were intake referrals, and the drugs of abuse were marijuana thirty (30) and five (5) other drugs of abuse. Referral sources of the ninety nine clients were eight (8) voluntary, fifty three (53) Nueces County probation, nine (9) 36th Judicial District probation, State parole (0) and Administrative Office of the United States Courts (Federal Probation/Parole) twenty eight (28), Refugio Probation one (1). Criminal Justice referrals consisted of 92%. These referrals are made by the Courts through State Adult Probation. Drug abuse services including counseling and urinalysis are a condition of probation in lieu of being sent to the penitentiary. A monthly client progress report to include all phases of clients lifestyle is sent to probation officer on a monthly basis. Seventy-five telephone calls were received requesting agency or drug abuse information. Hours of operation for the Administrative office and the Drug Free/After Care modality are 8:00am-5:00pm Monday thru Friday with evening counseling by appointment only, Monday and Thursday.

The Corpus Christi Drug Abuse Council Methadone Clinic is located at Memorial Medical Center, 2606 Hospital Blvd, Corpus Christi, Tx. The Methadone Clinic out-patient modality currently has a matrix of one hundred and twenty eight clients with twelve admissions and thirteen terminations for the month of November, 1983. Of the existing Matrix 52.3% are employed, 30.4% are unemployed, 4.6% students and 12.5% are Homemakers. There are 50% males, 50% females, and the ethnic distribution was 49.2% Mexican American, 48.4% Anglo, 1.5% Black and .75% American Indian. The Methadone modality conducted eighteen intake interviews and three hundred and six counseling sesions, averaging 2.39 counseling sessions per client. These clients are 100% voluntary referrals. The Methadone Clinic hours of operation are 5:00am until 4:00pm, Monday thru Friday and 5:00am until 10:00am Saturday and Sunday.

The Methadone Clinic dispenses all medication in the clinic with no take out prescription except for emergency. Should a client need to leave town he is referred to a clinic at point of designation or as close as possible. Every attempt is made to keep methadone out of the streets for illicit use to include observing clients while ingesting dosage.

The Corpus Christi Drug Abuse Council has good rapport with all bodies of community criminal justice working together for common goals.

Clients incarcerated in Nueces County Jail are serviced with medication and counseling for continuity until disposition of client is made.

The Corpus Christi Drug Aubse Council also maintains a community service program for shop lifters as reffered by the Courts. These clients usually complete forty to fifty hours janitorial duty to complete Court instructions. The agency has no janitorial service due to cost so we welcome these referrals. Counseling is offered and observation of agency activities with drug abusers leaves a lasting impression on these young people should they be abusing drugs and stealing to supply a habit.

The Corpus Christi Drug Abuse Council offers drug prevention presentations on a fee only basis. Three years ago all drug prevention funding for the agency was terminated due to lack of federal funding. The community has still not accepted the fact that presentations cannot be made free-of-charge but there simply is no personnel available to perform the task. Should CCDAC personnel choose to perform drug prevention on their personal time, they may do so. During the month of November, 1983, several presentations were made due to National Drug Abuse Week. The First Lady, Nancy Reagan, was in the green room cutting Chemical People, while the President was in the cutting room cutting drug abuse program funding. See attached for typical presentations done free of charge.

As Executive Director of the Corpus Christi Drug Abuse Council for twelve years I have been involved in the grass roots of the drug abuse problem to include the original, national, federal rules governing drug treatment. This agency has survived all funding phases, new deals, old deals, raw deals but the current deal is - unless funding either state or federal is improved, we cannot survive.

Texas programs will close, private programs will double in existence, methadone will flow in the streets with no control. This Community works hard to keep private methadone programs out to insure that a control system is established; but the future may leave no choice - the Committee needs to look at drug abuse hard and long.

Respectfully Submitted

Christine Beck Meadows

Christine Beck Meadows
Executive Director

DRUG PREVENTION, REHABILITATION, INTERDICTION, AND LAW ENFORCEMENT

TUESDAY, DECEMBER 13, 1983

House of Representatives,
Select Committee on Narcotics Abuse and Control,
Corpus Christi, TX.

The committee met, pursuant to call, at 9 a.m., in room 221, Bay Plaza Convention Center, Corpus Christi, TX, Hon. Charles B. Rangel presiding.

Present: Representatives Charles B. Rangel, Sam B. Hall, Jr., Solomon P. Ortiz, and Kent Hance.

Also present: Richard Lowe, chief counsel; Jack Cusack, chief of staff; Elliott Brown, minority staff director; Michael J. Kelly, counsel; and John J. Capers, investigator.

Mr. Rangel. The select committee will resume its hearings.

I would point out that we're here at the invitation of Solomon Ortiz in an effort to see what the Federal Government, and more specifically, the U.S. Congress can do to assist the people in this part of the country as relates to drug prevention, rehabilitation, interdiction, and law enforcement.

We're fortunate to have the leadership of Congressman Ortiz, who brings with him unique law enforcement experience as the former sheriff of this area.

And we're just as fortunate to have Sam Hall, an outstanding Member of Congress and a member of the Judiciary Committee, which has the responsibility to protect our people constitutionally, and at the same time has the direct legislative responsibilities to create and to uphold criminal laws, especially those that concern themselves with violation of narcotics laws.

Mr. Ortiz.

Mr. Ortiz. Thank you very much, Mr. Chairman. We are very happy to have you, as chairman of this committee, and Sam Hall here this morning.

We were listening to some of the testimony yesterday. Of course, it's a great concern as to the magnitude of the problem that we have, not only in south Texas or in our State, but it's an international problem.

As we were listening to some of the witnesses yesterday, they were describing methods—or, ideas. And the main idea that kept coming across was the idea of, maybe, trying some kind of prevention program.

As a law enforcement official for many years, I have seen where thousands and thousands and millions of dollars have been spent on drug rehabilitation process. Very little can be salvaged once people become addicted. The funding should not be taken away from those that are working very hard to rehabilitate these individuals.

However, I have not seen enough at the prevention level. And, hopefully, we will be able to get some testimony from you today as to what can be done. What can we do?

I know that today is going to be a very, very interesting day, because we need your help, we need your input. The only way we are going to be able to make a dent is by working together. The responsibility of parents and educators and law enforcement officials and public officials is going to be necessary to accomplish what we need to do and to reach our goals.

We welcome the panels this morning, and we are very happy that you took time from your busy schedules to be with us.

Thank you, Mr. Chairman.

Mr. **Rangel**. Mr. Sam Hall from east Texas.

Mr. **Hall**. I have no comments, Mr. Chairman.

Mr. **Rangel**. Then the Chair will call the first panel of community leaders, the Honorable Sam Lozano, mayor of the city of Harlingen, director of the School Community Guidance Center from Harlingen, TX.

Joining him will be Mr. Tip Johnston, Century 21—Johnston Co., from Harlingen, TX.

Joining the panel will be Mrs. Ella Prichard, board of directors of the National Federation of Parents for Drug-Free Youth, here from Corpus Christi.

Also from Corpus Christi, the president of the City Council of the Parent-Teachers Associations, Mrs. Burma Barnett.

We hope that the panel will have an opportunity to ask you questions that will assist us in our work in Washington. And since we have the written statements of all of the witnesses, at least I've been advised by staff that we do, and with the consent of the committee members, we will enter the entire statement into the record and hope that you would limit your remarks to 5 minutes, highlighting your testimony, so that it would give us more time to exchange ideas as to how we can support and improve what we're doing.

Mr. Mayor, thank you so much for taking time to be with us, and we are honored to have you.

TESTIMONY OF SAM LOZANO, MAYOR, CITY OF HARLINGEN, DIRECTOR, SCHOOL COMMUNITY GUIDANCE CENTER, HARLINGEN, TX

Mr. **Lozano**. Thank you. And I'm very privileged to have this opportunity to bring forth this message that I think you people have heard throughout the Nation.

It's unfortunate that everybody speaks about the drug problem that we have in our country. Yet, there seems to be no concentrated effort or coordinated effort to bring forth some method of prevention or intervention or even, as one gentleman put it yesterday, eradicate the problem of marijuana, particularly, in south Texas.

I do know who my State representative is. In fact, I can name all the State representatives in my area and throughout the State of Texas, as well as some Congressmen from throughout the United States.

In December, I had the opportunity not only to speak to Congressman Roybal and others in California, but other elected officials along the same lines that we are here for.

This problem of drug abuse has hit my family personally, and that's why I visited California.

But aside from that, I come in daily contact with the children that are involved in marijuana, inhalants, and other materials that are deteriorating the youth in our area and the youth of Texas and the country.

I was very happy being a junior high school principal, and I saw that there was nothing being done about the use of marijuana, other than just bringing forth the student suspension and then finally getting to the board for expulsion.

Along that time, there was State legislation to, perhaps, address the problem and address the problem from the viewpoint of the educator or the people involved in education. And their main objective was to prevent or keep more students that were using marijuana, at least giving them a second opportunity to stay in school.

Well, that worked fairly well for a short period of time, but the resources were not sufficient to address the problem in the whole community.

Thus, we turned back to what we had been doing before of expelling students. We do not expel students in as large a number as we had previously because of a particular place called the School Community Guidance Center, which allows for the student to reflect, or think things out, with counseling.

I am administrator. That's one of my functions in the center. And I feel that we have to involve the whole community.

And I'm sorry to say, and ashamed to say this: The city council or local government has not addressed the problem in any manner.

I have been a councilman, as well as mayor, for a number of years, since 1962, yet I have not been able to persuade my colleagues to address the problem.

However, I'm happy to say that the present council has taken a closer look and will provide some help to the community and, definitely, to the schools.

There have been many things tried in the Rio Grande Valley along the lines that I speak of, but nothing that would coordinate and get a hold of the problem. And I feel that one of the reasons is that the communities are not really aware of the dangers when a student or young person uses marijuana.

I see youngsters that I had when I was an elementary principal that got started on inhalants or drugs, who are literally bums now. Unproductive citizens of Harlingen that are 21, 22, or 23 years of age. And it's sad to see that type of individual in your community and, yet, not be able to do anything.

We have others, as we mentioned yesterday, MHMR, which you know what it's trying to do. I think they're a frustrated department like many other departments that have testified before you.

However, I think that the key, at least in my opinion, is to involve not only parents with students in school but everyone. Or, at least make them aware of the problem. And I have set those objectives and those goals, and hopefully——

I have been speaking to our State representative, and he has given me at least some hope of redoing some of the things that were initiated in 1978.

[The prepared statement of Mr. Lozano appears on p. 303.]

Mr. RANGEL. Thank you very much, Mr. Mayor. Mr. Johnston.

TESTIMONY OF VERNON C. JOHNSTON, JR., CHAIRMAN, HARLINGEN AGAINST DRUGS [HAD], HARLINGEN, TX

Mr. JOHNSTON. Thank you, Chairman Rangel, members, and staff. We appreciate y'all's time in coming down to listen to our problems in south Texas, and we do have some.

Y'all have got my statement before you, and rather than going over what Sam has just said, where I am coming from is: I am the chairman of Harlingen Against Drugs, which is a committee under the PTA, and we are also under the Texan's War on Drugs which you heard yesterday.

We receive directions from the Texans' War on Drugs in pamphlets and handouts, but no monetary funds. And so far, we don't need funds. We've got good volunteers.

I do believe, as with other people here, that what we're doing now is a maintenance program. As far as Federal funds, State funds, they only maintained a certain level. But I don't think we're getting to the heart of the problem.

As you will read in my statement, I think the problem lies much deeper. It's in the family unity. It's in community unity. It's in these types of efforts.

I'm not a pessimist, as my statement would sound like. If I was, I would not be in the business I'm in. But I am an optimist in many ways. I think that with proper guidance and proper direction the community can be pulled together.

This is where it's going to have to come from. Everybody likes Federal dollars, and they like the State dollars to be used. But those dollars not used properly in a prevention manner and an educational manner would be wasted dollars. And that we can't afford either.

I spoke with about 1,300 sixth graders last year. The reception of the sixth graders was tremendous. It's better than the adults. They understand the problem when you speak to them clearly and plainly.

We are trying to get down to the lower levels, to the second grade and to the fourth grade. We have a public program that goes in to all the fourth graders in Harlingen. And we have another type of program that goes to the second graders.

So, there again, we're hitting these people for 1 hour out of a whole year, and then they get bombarded the rest of the time by the news media, not to put them down, but also by the movies that they see on TV, by the sounds that they hear, and the words that they hear coming out of the music in today's music. And it's awful hard for us to combat that continuous noise and things they hear for 1 hour a day.

So, I think the parent prevention, and prevention in the age, somewhere, second, third, fourth, fifth, and sixth grades is where we've got to start.

That's all the comments I have. Thank you.

[The prepared statement of Mr. Johnston appears on p. 306.]

Mr. RANGEL. Thank you very much, Mr. Johnston.

Mrs. Prichard, the president of the Coastal Bend Families in Action.

TESTIMONY OF ELLA PRICHARD, PRESIDENT, COASTAL BEND FAMILIES IN ACTION, INC., CORPUS CHRISTI, TX

Mrs. PRICHARD. Yes, I was the founding president at that organization, which is a nonprofit, volunteer organization committed to juvenile drug abuse prevention and education in south Texas. I continue to serve on the executive board, and I'll be speaking from that experience today.

I do want to thank you for inviting me here, and I would like to commend this select committee for securing passage of the diplomacy against drugs bill.

For the past 3 years, due in large measure to the leadership given by the Texans' War on Drugs, south Texans have taken a close look at the use of drugs, particularly marijuana by juveniles, and the consequences of juvenile drug use.

Through the efforts of Families in Action, parents, educators, law enforcement personnel, elected officials, drug treatment professionals, the medical community, and youth themselves have joined together to combat this problem.

As you well know, for a decade, the parents sat by uninvolved and waited for experts to solve the problem, and relentlessly, juvenile drug abuse climbed.

Since the beginning of the parent movement in 1977, drug use among high school seniors has finally started to drop, and the parent movement, with the support it has enjoyed from both the private and the public sector, holds great promise for the future.

We've been singularly fortunate in Texas because of the leadership given to us by Texans' War on Drugs. Texans' War on Drugs brought in leaders in prevention and education from around the country. They provided staff, programming, and print resources to assist. They created a statewide network with communication to other States. And this caliber of leadership and professionalism gave credibility to the movement here in Texas and is now being copied by other States.

Here in Corpus Christi, our initial support came from our sheriff, now our Congressman, Solomon Ortiz, our mayor, and our superintendent of schools. Those who had dealt so long with the problem from a professional level welcomed the participation of parents and the private sector.

Since the local program began, we have studied all aspects of juvenile drug use. We turned to the materials at hand, and we found that, almost invariably, textbooks, films, and library books were in-accurate and out of date and that funds were not available to replace them.

We did get excellent assistance from the local office of the Drug Enforcement Administration and the substance abuse office at the Naval Air Station. They helped us obtain government-printed materials.

National Institute on Drug Abuse had a wealth of materials. They were not always accurate, but they were available free or at nominal cost.

Since then, the picture has changed for the worse. We're beginning to see the impact of the parent movement. In print materials, the message now is coming out clearly that any use of illicit drugs is abuse, that marijuana is physiologically and psychologically harmful.

But at this same time that changes for the better are being made in the resources, funding cuts are resulting in fewer and fewer materials being available.

NIDA materials are better than ever. Many of them are singularly appropriate for classroom use. But you have children's comic books that are selling for several dollars now, which makes them completely out of reach for the classroom or for the prevention program. A 35-page parent manual, for example, that was 35 cents when we started is now $4.

The schools of south Texas have demonstrated a marked commitment to reversing the upward spiral of drug use at school. Most, like the Corpus Christi District, have adopted tough policies that call for long-term suspension of students who use drugs and alcohol at school.

However, the Fifth Circuit Court ruling that the use of drug-sniffing dogs in the classroom violates students' civil rights has made the schools' job much more difficult. Surely every student has a basic right to attend a school where he can feel safe, where he can learn, where teachers can teach.

I saw President Reagan's recent recommendion about the need to address this problem. The disruption of the teaching process by stoned and drunk students is a national problem and needs to be solved at the national level.

Tightened school budgets have drastically reduced funds available for such programs as inservice drug programs for teachers and, here in Texas, the long time highly successful Operation Kick-It, where State prisoners visit our schools and share their experience.

Families in Action has sought to fill the gap. It has purchased films for the Region II Education Service Center, which serves more than 90,000 children in 11 counties in south Texas. We provided the funds for inservice workshops. For $1,500, we were able to train volunteers to conduct drug education to more than 2,000 fourth and sixth graders last year. This year, for $500 more, we will reach more than 3,000 fourth and sixth graders, expanding to all local Catholic schools, the Episcopal school, and one suburban public school district.

While it is unrealistic to expect a volunteer organization with an annual budget of $20,000 to carry the major responsibility for drug prevention, this is an example of the kinds of programs being conducted by the parent groups across the country.

The Reagan administration is to be commended for attracting the attention of the public and the media to the seriousness of the problem, and for involving the private sector in finding solutions. Many of these privately funding programs are more innovative and more cost effective than some of the traditional bureaucratic approaches.

Unfortunately, national drug prevention and treatment efforts too often fail to recognize that drug abuse is more than a black-white problem and that regional differences do exist. Films, as well as photographs in textbooks and brochures, show black and white faces and are written in English. They give information on heroin, cocaine, and marijuana, but not on inhalants, glue, and paint that are the drugs of choice of the poor Hispanic boys of the barrios. Concerned Hispanic parents cannot get the materials they need in the language they speak. Texas agencies have made every effort to meet the need, but the funds to produce high quality, professional materials are not available.

The best national policy is one that will provide full Government support to the public and the private sector, to professionals, and to parents. It will acknowledge that all mind-altering drugs are a threat to our children and that our Nation needs to address drugs and alcohol use and abuse as a single problem. It will recognize that drug abuse affects the entire Nation, all ages, all classes, all racial and ethnic groups.

[The prepared statement of Mrs. Prichard appears on p. 308.]

Mr. **Rangel**. Thank you, Mrs. Prichard. Mrs. Barnett.

TESTIMONY OF BURMA BARNETT, PRESIDENT, CITY COUNCIL PARENT-TEACHER ASSOCIATIONS, CORPUS CHRISTI, TX

Mrs. **Barnett**. Mr. Chairman, members of the committee, I am Burma Barnett, president of the City Council Parent-Teacher Associations in Corpus Christi.

Unfortunately, narcotics usage in our young people has dropped from occurring primarily at the high school age down to the junior highs and now, tragic as it is, to the elementary schools. Marijuana has been found among our first graders.

But I feel the people who have spoken before you on rehabilitation and treatment have very valid points, but we must get to the very root of the problem, as so many of them have said. It's education. And more than education, it's prevention.

Staff development sessions in Corpus assist our teachers in presenting accurate information from the kindergarten through the 12th grade on drug and substance abuse. Not only are the physiological, psychological, and sociological affects of drug abuse taught, but more importantly, the teachers include informed decisionmaking, positive peer group relationships, career and life goals, family life, and developing and maintaining a positive self-image. Teaching activities based on unbiased, up-to-date information enhance the credibility of the teacher and offer a greater chance to deter the dangerous street information, the subtle media messages, and the pop-idol role modeling to which our students are subjected daily.

Prevention is the key to education. Teenagers have listed 10 things that are their main problems, things that give them concern, anxieties that they have: Their friends, their families, feelings, future careers, sexuality, parents, questions about the universe, love, safety, and security, and fairness in competition. The inability to cope with any or all of these concerns can lead to a poor self-image in a young person.

While teenagers and adults may have some of the same concerns, teens do not have the skills or the maturity necessary to deal with them. The most important skill which teenagers need to learn is to develop and maintain a positive self-image.

Columbus, OH, is the headquarters of a program called Quest/Skills for Family Living Project, which masterfully deals with the teaching of living skills to high school students. The highly academically oriented school of Bloomfield Hills, MI, has instituted the Quest/Skills for Living Program as a one-semester, elective credit course. I understand that the response from the sophomores when they took it 2 years ago has been so great they are now asking that there be a re-Quest as they go into their senior year.

Quest teaches students proficiency in goal setting, responsibility, self-control, and self-esteem building. Mike Buscemi, the national coordinator of the Quest Program has said, "We are only going to solve the drug and alcohol problem when we solve the people problem."

The Quest Program is only in effect, at this time, in the high school level, but there are plans to implement it next year in the junior highs, and then, hopefully on to the elementary schools.

This program was determined by the National Institute on Drug Abuse to be one of the three best drug prevention courses available in the country today, although it is not primarily a drug prevention program. Since Quest, teenage pregnancy, as well as incidents of drug and alcohol abuse in Bloomfield Hills, have declined significantly.

The skills which enable young people to deal with peer pressure, with drugs and alcohol incidences, and with changing sexuality, we admit, are ones that need to be nurtured and learned slowly in a loving home environment. Unfortunately, for so many of our young people, that does not happen. So, perhaps, these coping skills need to be taught in our schools.

I feel that the parents of this country would support the expenditure of Federal, State, or local money for such a beneficial program, because only by dealing with the cause of narcotics and substance abuse can we effectively eliminate the need for more treatment and rehabilitation programs.

Thank you.

[The prepared statement of Mrs. Barnett appears on p. 314.]

Mr. RANGEL. Thank you, Mrs. Barnett.

Mr. Ortiz.

Mr. ORTIZ. Thank you, Mr. Chairman.

I would like to ask Mayor Lozano, who is very involved in working with the school district, what kind of drug prevention programs the Harlingen Independent School District has at this time?

Mr. **Lozano**. None, other than the program that was mentioned by Tip Johnston on a voluntary basis, working with the sixth graders and fourth graders in limited time through, as I said, volunteer groups.

Mr. **Ortiz**. At this point, the State does not mandate the local school districts to provide some type of drug education program?

Mr. **Lozano**. No; no one mandates, as such. As I said, the only thing that they've addressed in this problem is at one time, the only thing the schools were doing were just getting rid of the problem.

When I say "getting rid of the problem," that meant the student, at which time legislation and funding was provided for seven centers throughout the State of Texas, and Harlingen School District was one of the seven that was chosen, to start a pilot program.

An off-campus room or setting to deal with the student that was involved with marijuana and, perhaps, never caught with marijuana, in possession of marijuana, however he's disruptive or has incorrigible behavior.

Mr. **Ortiz**. In other words, he is removed—if he were caught with the marijuana, he is removed from his classroom, but at this point, you do have an alternative.

Mr. **Lozano**. An alternative for those that are caught for the first time, but if they are caught for the second time, then, they are usually expelled.

Mr. **Ortiz**. And once they are expelled, there is no alternative——

Mr. **Lozano**. They become a community problem then. It becomes a problem for the police, and as I have submitted to the committee here, statistics that are related to the number of juvenile offenses that occur in a community number close to 700 a year. And most of those are related, break-ins, theft, and vandalism. They become a community problem then, because there is no other alternative. Once they are expelled from that particular school, none of the other school districts would accept the student.

Mr. **Ortiz**. Do you see a need, at this point, for the State government or the Federal Government to help you implement some type of educational program in the school?

Mr. **Lozano**. Definitely. As I said, I thought, at one time, that the schools could deal with this problem, but I soon learned that that was not the case. Parents became involved only when they had their children there and only a certain segment of our community.

And as I said, one of the largest gatherings in Harlingen was at the time that Perot came to Harlingen and addressed the medical auxiliary, who took the leadership on the war on drugs. And it was one of the most successful community efforts, but it was short lived. It did not take—or did not spread itself enough to deal with the Hispanics. The literature was only in English. And I'm sorry to say that it was short lived. Just a short while.

And as I said, at one time, I thought that the community finally was addressing the problem but it soon died.

And as I said, I think that there were efforts by the PTA and volunteer groups, such as Mr. Johnston mentioned, that we are trying to revive and, perhaps, educate the young in the elementary stages.

But nothing is being done on the junior high level for the problem. Most of the offenders come from the junior high, seventh and eighth and ninth graders.

And it is filtering down to the elementary grades, as it was mentioned here.

In the seventies, early seventies, when I was assistant principal at the high school, we did see marijuana users and drug users. Now, there's some there, but not as numerous as they were in the early seventies. Now, most of the problems are in the junior high, and they filter on down from the junior high.

Mr. ORTIZ. Now, Mr. Johnston, how could you pull them? Do you get referrals? How does your program work?

Mr. JOHNSTON. No. We are in the process right now of trying to set up a voluntary counseling group to have referrals from the schools, the community, and doctors. But there's a lot more problems involved in that legally than you would think. It looks like a simple idea until you try to induce it and start running into snags, which is not uncommon.

We are opening up a teen line now, which is a 24-hour hot line, so to speak. It should be in operation by February.

Let me make one comment about the school and getting involved. I've spent many hours with Sam and Dan Izer [phonetically], our superintendent, about this.

The schools, if you saw the news last night, have a current problem of educating kids. They've got such a gross amount of information that they're trying to get to the kids, that I don't believe the schools should be the social agency in order to implement this program. I think they've got enough problems. My wife's a teacher, and I can tell you she has enough problems keeping reports and grading kids. She carries 30 kids in the 1st grade. She doesn't have—I don't think that ought to be put on the school system, personally.

Some systems do, but obviously, you can't teach a child that is on marijuana.

Mr. HALL. May I interrupt?

Mr. JOHNSTON. Yes.

Mr. HALL. What should not be put on the school system? What should not be put on your wife, for instance?

Mr. JOHNSTON. The responsibility of educating and presenting this prevention program should not be put on the school system. They've got enough problems, as it is, trying to educate the kids. I don't think they should be a social branch to do this job.

Mr. ORTIZ. But we're talking about education now. Where would be the best place? I know that the parents have a preventive responsibility, and many times, I can remember when I was sheriff, they would bring kids to me, and they would tell me, "Now, you discipline them because you're the sheriff." And, you know, you do that because you're the teacher.

And I know that sometimes we, as parents, get away from that responsibility that we have, but what do you recommend? I feel that since the best prevention would be a better educated child—

maybe I tend to disagree with you, but we're trying to get some solutions from you.

Where would you begin with this prevention program? At what level and where?

Mr. **Johnston**. As I said, I would start at the elementary level. The schools will give you the time. The school will say: OK. You can have an hour a week. Or whatever that time is to put this program in.

But to give the school the responsibility of putting together the program of organizing the program to do the work itself, no. Because our school system says: Yes, we'll give you the time to work with our kids because they need.

But then, they've got to go out and hire staff. They've got to go out and hire people. There ought to be some coordination, hopefully, in the local agencies that are there to come into the school system and work that program.

Mr. **Ortiz**. Let me see if I understand you. You feel that there should be an independent agency where volunteers would come into the school districts with their program and the schools would allocate time. Is this the way you would set it up?

Mr. **Johnston**. That's the way I, Tip Johnston, would like to see it because I think the schools are——

Mr. **Ortiz**. Mrs. Prichard, would you like to comment?

Mrs. **Prichard**. Well, basically, this is what a part of the drug program is in the Corpus Christi Independent School District right now. And Doctor Littleton is on the next panel, so you can ask him about the details.

But it became obvious when our parent group began to explore the general curriculum that the Texas law mandates that drug education be taught. There are no funds, and there's not a drug education course.

There is a curriculum guide that says that it's appropriate for drug education to be taught in the sciences, in health, in social studies, and various places where it can occur in the curriculum. There are also guides for the teachers themselves that are available, books that are available, teachers in the community that are available.

But it became obvious that the teachers' main responsibility is to teach those children reading and math and those basic skills and that when you're dealing with hundreds of teachers in dozens of schools to maintain similar quality and quantity of information from student to student, it becomes very difficult.

So, what has been done here is the establishment of the GATE Program [General Awareness Through Education] which was developed in Metropolitan Atlanta. Except that I think that we've done it better here because of the active involvement of the school district.

But it is funded by the Junior League of Corpus Christi. It is administered by the Families in Action. Volunteers come from both the Junior League and the community. The school district provides a staff person that attends all the training meetings as coordinator, and the principals request it.

But those volunteers, then, go into the fourth and sixth grade classrooms twice. We had hoped for them to be able to go three times, but there is a shortage of volunteers. But they will go twice to the students and then once at night to all of the parents of those students and give them drug information.

The teachers and the librarians and the principals are all left with a packet of resources and information so that the teacher can have ongoing plans and activities on what the trained volunteer presents.

The trained volunteer goes through 10 weeks of extensive training hearing from doctors and scientists. The teacher can't possibly have that kind of an in-service on drug education.

Mr. ORTIZ. I meant to ask Mayor Lozano another question. Where are the other six centers, besides the one in Harlingen?

Mr. LOZANO. There's more now. In 1978, Pasadena, Harlingen, Corpus—I don't recall. Pasadena, Corpus, Harlingen, Conroe—I don't recall the seven. But only seven school districts in the State of Texas. That's how little they think about the problem.

And again, you know, you ask the question of me: Is there a mandate from the Texas Education Agency or from the legislation?

Well, I am sorry to say that there is not.

Now, mandate in education is where you might speak 40, 50 minutes of science; you must have so many credits.

Yes, there are guidelines. You say, well, you may teach, in your health classes, drug—the use of drug abuse or drug abuse in generalities.

But I would say that I would hope that there would be a mandate that you must teach 1 hour in the seventh grade, like you do health or choir or what have you. Now, that to me is a mandate from legislation, the Texas Education Agency. And yet, they barely touch upon the subject. But again, not a coordinated effort to where the State of Texas mandates this through legislation and everybody must follow.

We do need volunteers, and PTA has played a great part in education in Texas, and they are the ones that have taken the lead in volunteers helping. And we certainly need the help there. But again, nothing that is structured, as such.

Mr. ORTIZ. Thank you, Mayor.

One thing, in particular, stands out when I was sheriff—If I may have just one more minute, Mr. Chairman.

In a society where both parents have to work, we have the father, the mother, and their young boy who would come home, and nobody was around. And then, when he needed help with his homework, either daddy was too busy or too tired and mother was doing something else. It reached the point where he felt rejected. And then he started hanging around with the wrong crowd, and before you knew or he knew, the young boy was addicted.

So, I feel that we do have a responsibility for somebody to take the responsibility of drug prevention somewhere, and I hope that we can be in a position today to get some information from you.

I was very moved when you said that this school in—Michigan? Is that correct?

Mrs. BARNETT. Yes.

Mr. ORTIZ. They do have this elective where they can take 1 hour? Can you explain a little bit about that?

Mrs. **Barnett**. It's a one-semester, credit course, an elective. At this time, elective. They may work to getting it to be a required course. At this time, it's an elective in the high schools that they take, and they deal with all types of establishing relationships, peer pressures. Just building their confidence. A positive kid. A good kid. Because a kid that feels good about himself, although they may know the facts, they may have the information on heroin and what this does to you, marijuana and what this does to you, they arent's going to stop and think about that. If they feel bad, if Mom hollered at them and Dad's not around and they've had a crummy day at school and somebody says, "Hey, this'll make you feel good," if they need something to make them feel good, they'll go try it.

Mr. **Ortiz**. Thank you.

Mr. **Rangel**. Mr. Hall.

Mr. **Hall**. Thank you, Mr. Chairman.

I've listened to you people. Mr. Lozano states that expelling students from school is not addressing the problem. Mrs. Prichard states that the schools of south Texas have demonstrated marked commitment to reversing the upward spiral of drug use at school. The Corpus Christi District has adopted tough policies that call for long-term suspension of students that use drugs and alcohol at school.

Well, it looks to me like you've both taken an inconsistent position, No. 1.

I hear a lot of talk about peer pressure. What is your definition of peer pressure, sir?

Mr. **Lozano**. A student that can no longer hear the outside world, the realities of——

Mr. **Hall**. What do you mean by "can't hear the outside world"?

Mr. **Lozano**. At one time, when I was growing up, sir, I took reverence in listening to my elders, my priest, my father and mother, my aunts, my uncles, and anyone that I held in esteem or respect. And whatever advice they gave me, I took it because I knew they cared for me. Whereas—and whatever anybody else said, even my friends, I took and accepted it.

Whereas, right now, you talk to a student, you try to counsel with a student, and they couldn't care less what their father says, what their mother says, what an aunt, an uncle, a teacher, a priest, a minister would say. They want to belong with those that they spend the majority of their time with, and those are students of their age.

And you have a lot of images in your school now. You belong to different groups, and there is such a group that is bent on holding an image, and they will not deter from any advice or counsel that anyone else would give, other than those that they hold in esteem. And it might be a drug pusher or marijuana pusher or——

Mr. **Hall**. All right. Mrs. Barnett states in her statement here that: "Marijuana has been found among our first graders."

Now, where is that peer pressure on a first-grade student?

Mr. **Lozano**. Well, I think, sir, I've been in education for 34 years, and I've dealt with—and I've been principal of a school. Yes, sir, a first grader or kindergartner will look around and see what am I wearing and things like that. And there is peer pressure there.

Mr. HALL. Well, how is that peer pressure for a first grader to look around and see how he or she might be dressed to make them get on marijuana?

Mr. LOZANO. Well, I'm not dealing with—I'm talking about peer pressure in general and not her terminology of somebody using—I'm talking—when I mention peer pressure here, I'm talking about the junior high students, not in the remarks that have been made. When I—the testimony that I gave to you was testimony that I've dealt with for 5 years, day in and day out, and not from a first-grade student.

There have been cases in her city or community where a first-grade student used it, and there have been some third graders in the school district where I come from that they used that. I did not—I don't mean to say that peer pressure—there is peer pressure, but not in the using of marijuana, as she put it, sir.

Mr. HALL. Mrs. Prichard, what is your definition of peer pressure?

Mrs. PRICHARD. Obviously, it's when a kid surrenders to pressure, or what he perceives to be pressure, from his associates.

I'd like to say a couple of things, though, to answer some of your concerns.

Mr. HALL. Wait a minute. Let's stay on peer pressure here for a moment.

Mrs. PRICHARD. OK. I'd like to say that——

Mr. HALL. Is peer pressure when the father and mother of the child doesn't devote enough attention and time to that child? That creates some sort of a situation in the child's mind that he or she must do something else to stay within the norm of what he or she perceives that to be?

Mrs. PRICHARD. I think that most junior high kids are eager to be accepted by their peers. However, the statistics that I've seen on drug prevention and on the peer pressure question show that it is the child with low self-esteem who is most susceptible to peer pressure.

The child that feels good about himself and has succeeded somewhere, who feels loved and accepted by his parents and his friends and his teachers, is less likely to submit to peer pressure to use drugs or anything else.

So, there is some correlation between self-esteem and peer pressure.

Mr. HALL. Now, you state that the schools have done a pretty good job down here in expelling students that, frankly, I think ought to be expelled when they're caught up in this business.

Now, the mayor doesn't believe that.

Mr. LOZANO. No, I didn't say that, sir. I said that expelling students is not the answer because it then becomes a community problem. I'm also—I also happen to be mayor of a community, sir, where we deal with——

Mr. HALL. Let me read what you said.

"We have seen that the traditional methods of dealing with individuals with drug problems have not worked."

Page 2 of your statement.

Mr. LOZANO. Yes, sir.

Mr. HALL. "Expelling the student or incarcerating him for drug abuse is not the answer to the problem."

Mr. LOZANO. That is correct.

Mr. HALL. Now, that means to me that the traditional ways of trying to solve these problems, in your opinion, are not working.

Now, Mrs. Prichard states just the opposite, as I read, if I can read the English language. And I've already read it. About the schools "in my opinion, have demonstrated a marked commitment in reversing the upward spiral of drug use at school."

Now, I'm familiar with that Fifth Circuit Court case. I think it was a bad decision. I think it was a terrible decision. But, anyway, we're saddled with it until we can do something about it.

But I'm concerned about when you talk about the peer pressure. Now, I served on a school board for 10 years before I went to Washington, and I've seen these things come before the school board that are heart rending and will tear your heart out. But I don't believe that you can separate this from the school system.

Now, you've got to have outside interest to get involved in it, certainly. But these youngsters that we're talking about today, and some of the statements that what all of you have said, it's so true about the outside radio, television, things you see and hear.

But we've got to, I think, get back to the proposition that mother and daddy know a little bit more about what their child should or should not do than some outsider.

Now, I don't believe that you can say, No. 1, that the schools do not—in my way of thinking, have a pivotal part to play in this. I think we're going to have to get, first, the teachers who can understand the problem and teach it to these youngsters.

Second, I think you always have to bring your parents into it.

But the thing that concerns me greatly is when I hear people say that the traditional methods haven't worked. I don't like to believe that. I don't like to believe that they have fallen down and we're going to have to go out to some social organization to solve these problems.

Mr. LOZANO. I don't know how you construed my remarks, but I have made recommendations within the last 3 weeks to expel two students. I believe in that.

However, those two students have juvenile records. You go to court two or three times, and it's still amongst our midst. So, what do you—I don't mean to blame the court. I'm not blaming anybody.

But you go to juvenile court and said, well, they didn't commit any—there are worse kids in this area than those that use marijuana or break in or break a curfew or what have you.

As I said, I'm not that liberal, and I've been around long enough to say that by expelling a student, that's not the answer. And I will repeat it.

Mr. HALL. Well, what do you think ought to be done to a student in a high school that comes in stoned? Should they keep him in there?

Mr. LOZANO. No. What——

Mr. HALL. Or her in there? What should you do with him?

Mr. **Lozano**. Well, as I said, we tried alternatives of removing him from that campus for a period of time. He is counseled with, and if he continues to do that, he is expelled. All right?

All right. Once he's expelled, what do you think that 13-, 14- or 15-year-old child is going to do? Just wander? The parents are working or they don't know——

Mr. **Hall**. Maybe that's one of the problems. Everybody's working.

Mr. **Lozano**. That's what I'm saying. But I'm coming from two directions here. As being an educator, we've been entrusted with that task of trying to work with a drug user because the youngster is the one that's using it.

I'm also aware of our shortcomings in the police department, that they can no longer deal with a kid that's been caught 10, 12 times. The frustration, talking to people on a weekly basis. We took so-and-so to court, and he's back on the streets.

Mr. **Hall**. Well, what do you think? Do you think the courts—I know you do, but let me rephrase it.

Whenever you get a child who has been suspended from school on one or two occasions, and then that child is taken before a magistrate or a judge, do you think that the judiciary system is too lenient on those people?

Mr. **Lozano**. Some are, yes, sir. Very, very much so.

Mr. **Hall**. I've seen many instances in areas where I go that they're back on the streets on probation.

Mr. **Lozano**. That's correct.

Mr. **Hall**. And probation is just a license to steal, as far as I'm concerned.

Mr. **Lozano**. Could I make one statement?

On October 30, there was a young girl, 15, with a 7-month-old child that had been using inhalants for a number of years from an [unintelligible] family. They moved into our school district and into our community. The girl has not attended more than 16 days of school. She was brought in because of truancy and disruptive behavior and incorrigible and what have you.

And I prepared a packet that thick [indicating] for the juvenile officers to present to the court, and the court—or, the judge said that girl must continue school and she must attend school on a daily basis.

Well, she did not. So, we're spending hours of time, the truant officer, the visiting teacher, as well as I, making home visits. Never could speak to the mother. She's the only supporter of the family. Another unmarried sister with a child and this one, 15-year-old. And we just couldn't——

And she was influencing other girls to do the same, stay away from school.

So, instead of having one problem, we had many. So, of course, I believe in expulsion, and that's one of the recommendations I made for expulsion.

I know that the police are going to deal with it, with this young girl, next week, I dare say.

Mr. **Hall**. but you don't think, now, that whatever the police do will solve that particular problem.

Mr. **Lozano**. Well, we cooperate. We turn them over to the juvenile probation office. The juvenile probation office prepares a case, going before the judicial system, the judge. And that's what I'm saying. That's what I just said, and I'm just repeating myself.

Mr. **Hall**. Mr. Johnston.

Mr. **Johnston**. You made a statement. Mr. Hall, and I'd like to back up to a little bit about the parents. And you feel like it ought to be in the hands of the parents. And I totally agree.

But if you go out on the street and ask the parents have they ever sat down and discussed drug abuse with their children, I dare say, 3 percent might have, 97 percent won't have.

Mr. **Hall**. I've had them come before that school board in Marshall, parents with children, who had some sort of drug abuse. People that I knew. Good, solid folks in Harrison County, who had no earthly knowledge or idea that their daughter or son might be on this drug thing. And when you hear it unfold before a school board there and you see those parents just get into nearly a convulsive state, it's a serious, serious situation.

So, I don't think that you can say in many instances—and you know, when I think of peer pressure, maybe I don't broaden it out enough, but I always kind of get it on the basis of the children are intimidated by their mothers and daddies sometimes. Maybe peer pressure should be magnified to include children who are their associates and all that. I'm sure that's correct.

But I think you're going to have to get back. We can legislate, we can create funds, we can have hearings all up and down this countryside. But until you get the mothers and fathers involved in this entire process, you're not going to solve it.

Now, I could talk all day, Mr. Chairman, and I know I've talked too much already. But I get really concerned when I hear people who are experts differing on law enforcement. That's kind of what triggered me this morning.

It's now law enforcement, but schools. The suspension business.

Mr. **Lozano**. Again, I've held different positions in my different assignments, and at one time, I felt that we could deal with it from the school standpoint. That's no longer the case. In my last statement, my testimony was that we, as elected officials, will address the problem. And I dare say, with you, that we're going to have to involve more people, parent or nonparents.

Mr. **Hall**. We had testimony yesterday from a person who said that the intimidation of the student, expulsion from school, too many rules, and punishment won't work.

I don't agree with that. I wrote it down as it was stated.

Now, if you take that position, then you've gotten to the place that of the Chief of Police of Brownsville told us yesterday that the magnitude of the problem is too big for all of us. And I don't think we've gotten to that point, yet. If we do, we ought to disband this committee and go back home.

I yield back the balance of my time, as I've already overstayed it.

Mr. **Rangel**. Well, I think that your background, and I don't mean as a legislator, but as a member of the school board, shows that we don't, in the Congress, have the answer and that we're using these exchanges to see whether or not there are new approaches.

I listened very attentively to positions that you've taken, Mr. Hall, and I have nothing but sympathy for the mayor.

Because as a schoolteacher, if you did follow your conservative trend and kick them out because you were unable to get the politicians to support programs to prevent them from coming drugged, then you leave your educator's hat at the school and come back as a member of the city council or the mayor, and then you can't raise money to keep them in jail, if, in fact, that is what the main extreme would be. To kick them out and not be lenient on them in jail.

And, Mr. Hall, part of that testimony we got yesterday from a Federal judge was just as frightening as the sheriff's testimony who claimed that you would sell drugs with immunity.

The U.S. Attorney was saying that he has to consider the caseload in court as he indicts and prosecutes. And we are talking about felons. So——

And then, this committee was in California, and one sheriff told this committee that, yes, he could indict a lot more people, but whose going to pay the taxes to pay for the trial.

And it hurt me as an American and as a lawyer and as a lawmaker to believe that law enforcement was based on the community's willingness to pay taxes to prosecute the cases.

So, clearly, what we have here is a community that is so ignorant or so afraid to face up to this frightening problem that they're not willing to pay their load to either educate to prevent or, certainly, the criminal justice system is not prepared to take in kids when they haven't even got room for the interstate traffickers or the international traffickers.

Mrs. Prichard, in this war against drugs, which I learned a lot about yesterday, and we made a commitment, at least, Mr. Ortiz agreed with the chair that we're going to flow through and pull out the good and see whether we can assist in national and, also, to see whether or not we can assist them in the Texas area to coordinate those people who don't have the participation that your groups do.

But does the organized church play a role in this war against drugs? Are they listed among the supporters in Texas?

Mrs. PRICHARD. The executive director of the Texans' War on Drugs is in this room, and he could probably answer that better than I.

Mr. RANGEL. Well, no, I——

Mrs. PRICHARD. But here in Corpus Christi, we have had the involvement of individual clergyman and individual congregations. We have not had denominational support.

Mr. RANGEL. That's what I meant.

Mrs. PRICHARD. No.

Mr. RANGEL. And I notice, Mr. Johnston, that you're very active in the church. Have you found the institutional church involved? I'm not talking about the individual. You're in real estate, and some are teachers. But have you found your church to say, "Count me in this war"?

Mr. JOHNSTON. No, not as a church. No.

Mr. RANGEL. And, Mr. Mayor, has it been your experience that politicans and those who seek elective office always have a sensitive ear for the church in terms of what they want?

Mr. LOZANO. Let's be honest. You're in politics. So am I. I think that this problem has fallen on deaf ears, as far as politicians go, because the youngsters don't vote, and the parents don't know enough about the problem to deal with it on the political scene.

Contrary to what I heard here yesterday and, you know, this morning, it's a problem that, perhaps, cannot be answered by having meetings here and in California and different places.

But I, for one, am very optimistic about what can be done, because there have been other menaces that have befallen us here in this Nation and we have found resources to deal with it. And hopefully, let it be a political issue.

And I intend to carry this message to my community. I have tried to involve the other elected officials there to no avail, but I have not completely given up.

But, finally, this present council has provided money to hire someone to be a liaison between volunteer groups, the city, and the schools. And——

Mr. RANGEL. I guess my question was, Mr. Mayor: Do you believe that the church could put political pressure on individual elected officials in connection with getting their interest?

One of the problems we have in New York is teenage pregnancy, and so, talking about educating the parents, really don't mean too much, because the child, the baby, needs an education.

Mr. LOZANO. There's a group that has just emerged. And, you know, this is the scary thing about this matter of the burnings in the gulf. You have enough people throughout the valley; 18,000 signatures, mind you, in 4 months.

And this is something new that very little of us know. Yet, the leadership of the people involved, through the church or churches, interfaith, has gotten astounding responses. And yet, you know, the drug problems, we've tried with this group and that group.

And hopefully, to answer your question, that might be the answer, Congressman, to involve the churches, this group that has just emerged, interfaith. Hopefully, they will take this problem—this concern.

Mr. RANGEL. Well, the committee thanks all of you for the individual and collective work that you're doing in this area.

And we come at the invitation of Congressman Ortiz to give you support.

It's a little confusing as to how you would like to see Federal assistance. Everyone says they don't want any strings attached and eliminate the bureaucracy.

But this administration sort of believes that you don't have to worry about the strings because they're not going to give you the money.

But you don't have to be questioned on how would you like it to come in. They rely heavily on volunteerism, on the church, and on many in this great country, seeing a problem, will all put their shoulders to the wheel and turn it around. And a lot of television, of course.

But I think that when parents realize that a different type of approach has to be taken, this administration, like any other administration, listens, especially during an election year, to what the people really want.

I hope you'll allow us to be supportive of your efforts. And it would seem to me that those representatives especially those that represent Spanish people in the area, and it wouldn't be too much to ask our local priests and ministers to call them in just for a conference to point out to them the needs of their parishioners and the needs of the community and to let the elected officials know that their support would allow them to be remembered in the parish's prayers at the appropriate time.

And their failure to respond, of course, might be mentioned at the appropriate time.

It's such an important thing that—there's not too much in the Bible about doing anything for those that can take care of themselves. The whole emphasis is on taking care of the powerless.

And as a politician all of my adult life, I can't find any group that has less power than an addicted kid. I mean, he or she is just out of everything, his own family, his community, and certainly the political arena.

And so, it seems like you can pick up a couple of points politically and in heaven by trying to do something for this group of people.

In any event, we will continue to work with you. If you have any additional suggestions or recommendations that you'd like to make, the record will remain open for you to do that.

Thank you for your commitment.

Mr. **Lozano**. Thank you.

Mr. **Rangel**. The next panel is a group of educators headed by Mr. Jesse Benton, who is the principal of the Stell Intermediate School in Brownsville, TX.

And from Robstown, TX, the superintendent there is Dr. Jose Gallegos.

And also, the superintendent from here in Corpus Christi, Dr. Vance Littleton.

You educators can see this panel is trying to become educated.

We hope you can confine your oral testimony to 5 minutes so that the members of the panel could have some concern as to how we can be most helpful.

Let's start off with Mr. Benton.

TESTIMONY OF JESSE BENTON, PRINCIPAL, STELL INTERMEDIATE SCHOOL, BROWNSVILLE, TX

Mr. **Benton**. To start with, I'm representing Simon Rivera, the assistant superintendent for secondary education in Brownsville. And he's in the hospital with an operation, and so, I'm just filling in for him.

I have his report. Some of the things I can't substantiate, but I do have feelings and knowledge of Brownsville, because I have been a principal since 1952. And so, I will be filling in for him representing junior high school level.

Mr. **Rangel**. The full report will be placed in our record.

Mr. **Benton**. Thank you, sir.

And Mr. Rivera sends his regrets.

Mr. **Rangel**. Accepted.

Mr. **Benton**. The schools in Brownsville have been very interested in the drug problem and educating our students. In our science department, there is quite an area set aside for drug abuse. And the different courses do implement a program of education.

And in Brownsville, we start with the first grade in trying to educate our students plumb through the junior high school.

And we do have some help from some outside sources. Two of our newest sources from the outside Fairlights Incorporation and the Palmer Drug Abuse Program have been instrumental in our community.

Now, as far as dealing in the school with the student who actually comes to school with marijuana or under the influence of it, certainly, we expel them from school if we think necessary. The school board has gone along with us if it be for more than 2 weeks. A principal can suspend for 2 weeks.

There is an alternative school that's been put up. Now, it wasn't set up strictly for drugs. It was for students who had behavioral problems, but where students may get an education in a more restricted environment than a regular classroom. And they do get some good counseling there. And we feel like it's working a great deal helping out with our situation.

Other than what Mr. Rivera has in the report here, I feel like we're doing a good job as far as taking care of immediate needs. They don't seem to be in much larger numbers than we had a year or two ago.

In junior high school, there's one thing that was not addressed that is a problem in Brownsville and has been for some time, and this is inhalants. In other words, students who will buy glue. And this, basically, I think is elementary and junior high school. I don't think it's very strong in the high schools. And they'll sniff this glue, and they'll get high on that. And then, it went from there to spray paint.

And we have an ordinance in Brownsville that makes it illegal to sell these inhalants to minors. So, there has been an effort in our local community to control that type of situation. It is not completely enforced, but if the schools become aware of a place that's selling it allegedly to students, then the police are notified. And they go by and warn them.

I don't know of anybody being prosecuted, but they discontinue this type of practice. And it has been helpful.

And that's the only—I can't come up with any recommendations. I think that—I'm hoping somebody will come up with something, but as far as me to say: This will solve the problem, I don't have any suggestions.

[The statement of Mr. Rivera appears on p. 321.]

Mr. RANGEL. Thank you, Mr. Benton. Doctor Littleton.

TESTIMONY OF VANCE LITTLETON, PH.D., SUPERINTENDENT, CORPUS CHRISTI INDEPENDENT SCHOOL DISTRICT, CORPUS CHRISTI, TX

Mr. LITTLETON. Mr. Chairman and members of the committee, I want to thank you, also, for the opportunity to present some testimony to the committee today.

I would like to state that I am speaking for me, as an individual, not representing our board or school district per se. What I have to say is strictly my personal opinion.

I have given you some written information regarding the programs that we have underway in our school district to educate the students and, hopefully, prevent their involvement in using and abusing drugs.

We've also presented some statements in the written testimony about our particular policies in the district which, in essence, calls for recommendation by the principal to expel youngsters who either possess or are under the influence of drugs in our school, as well as alcohol, for that matter.

I'd like to make my comments pertain to my observations of these efforts.

I think we have a well-designed drug education program, as far as the education effort is concerned. We have ample materials, films, various resources. We put quite a bit of effort into in-service training for teachers.

I would have to say that while I think our effort, as compared with most school districts, I could not say that the end result in terms of preventing students from becoming involved is that successful.

I've observed this in this school district and three others for the last 10 or 15 years, and I would have to say that the educational efforts, in general, have not proved too successful, obviously, in preventing young men and women from getting involved.

I do think it's needed. We need to make that effort. Please don't read that into it. But I can't say it's been too successful.

I believe that the strong policy regarding efforts to eliminate the presence of drugs on school campus is a must by school systems. I think it's had an extended and very beneficial effect in Corpus Christi with the particular policy that we have had in effect.

I visited with a group of students this morning who are on my advisory group from each of our high schools. I asked them what they seem to—what they perceive, rather, to be some of the effects—or, reasons, rather, for some decline that we're seeing in terms of use of drugs.

They, almost to a person, felt like the strong policy that we have has had an effect. Why. It sent a clear message. It sent a clear message about the importance of it and what the school district and the parents in this community felt about the use of drugs by young people.

And I think, secondly, they're saying that in the school setting is where they have more interaction with friends, peers, if you will, than in any other setting, and because there is less drugs now present on our campuses, they're not subjected to the influence from their friends to use drugs that they had in previous years prior to the advent of the policy.

I think it's going to take a very strong, total effort by local communities, as well as the effects of other governmental agencies that we can have.

We've had here in Corpus the chemical people presentation where we had meetings in each of our schools trying to attract parents and others to come and explore what might be done to help address with significant societal problem through much of the resources in a local community. We had some 2,000 patients come to the meetings that we've had, which was under the leadership of Families in Action in cooperation with the school district. And I think through those efforts and follow-up efforts, you can get much of the community to be aware of the problem and seek ways to deal with it and increase our efforts. And I just believe that's a mandate.

If I had a solution to suggest to you today, we'd bottle it and sell it and be well ahead of the game. But, obviously, I don't.

I do think that education, school districts, do have a role in, one, providing an educational program. I think, No. 2, they must take a strong stance regarding their efforts to eliminate the presence of drugs on school campuses. And I think that message has to be clear.

I think they have to cooperate with other agencies in the community, including patrons, to make a maximum community effort as to the whole matter.

I think, at the national level, ways through our TV media and others to, again, increase awareness. I think looking at various, if I may say so, TV programs that seem to smile on the use of drugs is not helping.

These same students this morning said that various TV programs that addressed it more realistically and looked upon with disfavor does influence young people.

I think our law enforcement agencies need to increase their efforts in dealing with young people who violate the law in that regard. I know they're strapped personnel wise, according to their statements. It's difficult to deal with, but students get that mixed message. They see, in Corpus Christi, the school district taking a strong stance, and on the other hand, they feel that they can get away with it with law enforcement agencies if they're only using small amounts. And that is a mixed message.

I do believe, again, that it's going to take a strong educational effort, a strong stance by the school district, their work with other agencies, but a maximum effort on the part of that community to explore all the ways they can possibly deal with this problem. It is difficult to raise that awareness and get that involvement, but I think that's what it's going to take.

[The prepared statement of Mr. Littleton appears on p. 329.]

Mr. **Rangel**. Thank you, Dr. Littleton, Dr. Gallegos.

TESTIMONY OF JOSE GENE GALLEGOS, SUPERINTENDENT, ROBSTOWN INDEPENDENT SCHOOL DISTRICT, ROBSTOWN, TX

Mr. **Gallegos**. Mr. Chairman, members of the committee, staff members, I have a prepared statement I'd like to read to you this morning.

I will speak with you today, of course, from the perspective of a State school superintendent in a school district supporting 4,700 students and also a lower socioeconomic setting, and state to you the problems that educators contend with as follows:

No. 1, what is the extent of the drug abuse problem in the schools and what can be done to more effectively bring the problem under control?

There are definitely problems in regard to drug abuse in American public schools. And I'd like to share with you, gentlemen, some statistics that I ran into recently, and I'm sure you've been bombarded with statistics.

These statistics were put together by the University of Maryland Institute of Social Research for the University of Maryland.

No. 1, roughly two-thirds of all Americans try an illicit drug before their final high school year, and 1 in every 16 high school seniors smoke marijuana daily.

Second, many of them started chemical use between the ages of 11 and 14.

No. 3, harmful effects of marijuana. Smoking five marijuana joints in a week has the same effect on the respiratory system as smoking 112 tobacco cigarettes. That is significant data, and I'm sure you have additional data before you.

By this, I mean that students are definitely using or experimenting with drugs at a higher level than ever before, and we have to admit that fact. The availability of drugs, coupled with permissive societal attitudes, will continue to make this problem one of major proportions. It is imperative that all public agencies work together to combat the problem.

Mr. Chairman, I was pleased with your comments about involving the church. I don't believe that we in society look hard enough at the involvement of the church to get behind us in this particular effort. And I think we should. It's a very vital force and a very viable force that we're going to have to contact, get in touch with, and get their support, their active support in this particular process.

I would like to state that educators are making efforts to combat the drug abuse problem. They and school boards are attacking the problem through the implementation of strict drug abuse policies and drug prevention programs which do involve parents and other citizens in the community. We all have a stake in solving the problem of drug abuse. We need to get parents involved, as well as teachers. And I think that this is extremely critical.

In our district, we have a very strong policy which is enforced by school administrators and supported by our board of education. We will simply not tolerate drug abuse by our students. I would further suggest that school districts increase communication and not allow suspended students to cross school district boundaries to register. And I know this is a problem.

In Robstown, we also have a communitywide drug education committee composed of educators, students, and parents. The committee is generating a drug awareness program that I believe will have a very significant impact on drug abuse in our schools and community. Also, we have been working jointly with the Coastal Bend Families in Action Committee to combat drugs in our schools. I would stress and underscore the importance of the drug awareness committee being formulated and being pushed and promoted by parents. This is critical.

I do not believe there is a significant effort at the Federal and State level that attempts to address the drug abuse problem in our schools. There is a definite need for greater resources to be allocated to assist school districts with their drug abuse and prevention programs.

You will recall that I come from a very low socioeconomic setting. Our board of education is very much strapped for financial resources. And we need help.

Larger school districts, perhaps, wealthier school districts, perhaps, can cut it. For us, it's very difficult.

It is particularly important that resources be made available to school districts of all sizes for alternative education programs for those students who are suspended for drug abuse.

In conclusion, I would encourage this committee to provide the needed emphasis at the Federal, State and local level to direct both human and material resources at the elementary and secondary level of public education to combat this serious and ever-growing problem.

I would close by saying that it's going to be particularly significant, gentlemen, if we're really going to attack this problem, that we begin the drug education process very early on, and I'm talking about preschool, kindergarten, first grade.

And I don't believe that we have been doing that. At least, we have not been doing that good a job in our school district, and it's going to have to be attacked that early.

Thank you.

[The prepared statement of Mr. Gallegos appears on p. 333.]

Mr. **Rangel**. Thank you, Doctor.

You indicated that you're an educator in a poor community. Are your teachers organized by the labor movement, or the union?

Mr. **Gallegos**. Fortunately, not. No, sir.

Mr. **Rangel**. Do they negotiate their salary with your school board?

Mr. **Gallegos**. Mr. Chairman, we don't have collective bargaining in the State of Texas. I believe a few school districts in the State do allow for consultation rights, which basically is collective bargaining.

Mr. **Rangel**. How do you express your needs as an educator? To whom do you go? To the city council, to the State legislators? How do you get your curriculum supported, the things that you think are necessary for the kids?

Mr. **Gallegos**. Well, basically, we start—our staff starts with the board of education. We go to the politicians that sit on the board of education and start with them. And then, I try to employ active parents.

Mr. **Rangel**. How do you get the case of drug abuse education before these politicians that sit on the local school board?

Mr. **Gallegos**. Well, I'll tell you, they——

Mr. **Rangel**. I know how you get the question of the teachers' salaries before them, but I'm just trying to find out: How do you get them an agenda to show what the needs are in order for you to do a more effective job in educating?

Mr. **Gallegos**. I'm not sure I understand your question, Mr. Chairman.

Mr. RANGEL. Well, you see, we received the testimony of this panel that we're doing the best we can with what we have to work with.

And you're saying: But we do need more resources.

And I'm trying to see what we can do to support your request. But in order to do that, I have to find out how you put in your request and to whom for additional resources.

In other words, if you did, in fact, have a teachers union, then I would hope that the teachers would include in their demands for pension benefits and better tenure and higher quality of life, also sometimes, as relates to moneys for drug prevention education.

But since you don't have that system, we can't take that to the union. And God knows, we're not going to take it to the church.

But where do we take it?

It seems to me that you are the one that suggests to the school board what you need to operate.

I guess my question is: Do you include, in your recommendations to the school board, resources for drug education?

Mr. GALLEGOS. Mr. Chairman, in our community, resources are extremely limited, and this is a cry that, perhaps, you get from every superintendent you talk to but we have limited resources.

Mr. RANGEL. As an educator, you heard the mayor say that while resources are limited, you know, in going to the city council and going to the State legislators, why hasn't the council heard how much it costs to take care of some of these problems or find themselves evicted.

I mean, the cost of kicking a guy out of school, it's a very costly experience to the community. I mean, if you really want to carry through with it, you know, you got to take him to court; you got to have the district attorney's office; and if he's poor, you got to get him a lawyer; if you put him away, you got to get a handful of social workers, jailers, probation officers, and social workers. And 9 chances out of 10, he still comes out a problem. It's a very costly operation.

Why is it that we can't try to get some prevention, not because of compassion or sensitivity to the kids' needs, but just in terms of how much money it's going to cost.

Mr. GALLEGOS. Mr. Chairman, I would address your question in this fashion. I believe I already have by saying that we must begin the inservice project with teachers at the elementary level. We've not done a very good job yet.

Mr. RANGEL. But the teachers haven't requested money, have they?

Mr. GALLEGOS. Not in this regard. We just have not prioritized it. We have not started the education process, both with parents and staff.

Mr. RANGEL. Let's try to do that, because the school board is not going to give you an open hand. They're politicians, too.

Mr. Ortiz.

Mr. ORTIZ. Somebody mentioned that the school should play a role. How extensive should the role be? Now, what would be the role as far as trying to implement some type of drug prevention program? Should we set up a curriculum? And if we do, at what level in order to reach the child? Anybody?

Mr. LITTLETON. Congressman, if I may, the State has previously mandated that the Texas public schools have a drug education and prevention effort. In our district, it is from K through 12, included in the three subject areas indicated in my written report.

While resources that have been made available are limited, in my opinion, they are adequate. The resources currently come from State, as far as—or, rather, our general funds from the State allows us to get the materials. They have films and things available through the Education Service Centers.

As you heard from previous testimony, we have volunteer efforts in our community that supplement our own resources in terms of the education efforts.

In terms of providing an education toward a preventative program—for a preventative program, while you can always use more, I personally believe it is adequate.

Mr. ORTIZ. Then, you think——

Mr. LITTLETON. And I think our role should be in that. But I would hasten to say that over the many years that we've been in this, the use of drugs has increased, it's gone down, it's varied. And it's not to my knowledge, yet been able to be related to the education effort to prevent it.

I'm not saying, again, by that statement, Don't do it. I just would hate to put all our marbles on that particular element.

Mr. ORTIZ. Can you describe the different methods under the drug prevention program at the school, that you would apply at the K level, and then the other levels? How do you reach the child—let's say a kindergarten child—how do you speak to him? How do you get to him versus a junior or sophomore in high school?

Mr. LITTLETON. You're beginning, at the early levels, to address not so much in-depth, factual knowledge about the results of chemical abuse. You're trying to develop an appropriate attitude about the child's self or physical wellbeing, so that the youngster will not intend to have a negative self-image and also have pride in his physical wellbeing. He's not going to be eventually susceptible to pressures that might be brought to bear regarding drug abuse.

As you get older, then you're able to get in with more factual information and appeal to reasoning aspects of the youngster.

It's a sequential program, infused, generally, in about three subject areas that I mentioned in my written report, health, science and social studies.

I use other activities, in terms of group discussions, role playing. We bring in law enforcement officers and other people to help play role models as we discuss the total effort.

I think the public schools in Texas, through some 10 more years of experience in this business, have generally designed some adequate programs. I think where we are weak in it, on occasion, are with teachers who may not have the kind of understanding and indepth training. We're always constantly working on that.

Mr. GALLEGOS. Mr. Ortiz.

Mr. ORTIZ. Yes.

Mr. GALLEGOS. I'd like to make a comment.

I think that in the traditional curriculum projects that we have implemented in the public schools is not really beginning to address the critical issue.

These young people in various communities, such as ours, are very much aware of the drug business and the drug trade. They're aware. They're aware through the media. They're aware through the community contacts.

I believe we're going to have to address the issue of drug abuse much more directly at the elementary level and stop the sugar-coating effect of this particular issue. We're all saying, everyone keeps talking about we have a very serious problem and that it needs to be addressed head on with pre-K, kindergarten, and first grade students. These are sophisticated young people that need to know the facts.

Mr. ORTIZ. You stated that even though the State mandates, we talk about K to 12, how much time do we spend in a 6-week period training or teaching a child?

Mr. LITTLETON. Congressman, I don't have accurate information in terms of the numbers of minutes, say, average per week or per 6 weeks, that have been devoted to it.

Again, I would—my perspective on it is that while the educational program is adequate, we have not seen that dramatically affect the ups and downs in terms of the frequency of use of drugs by young people.

And I don't think the issue is the adequacy of the educational program as presented by the public schools. I think the problem is more extensive than that, and that while we are addressing one element fairly well, it needs a coordinated, concentrated effort from many other sources, as well.

Mr. ORTIZ. I was just reading in the newspaper the other day about a test that shows drug-prone youngsters. Are you familiar with that test?

Mr. LITTLETON. I read the same article.

Mr. ORTIZ. I believe that the problem is so serious that now they have developed a test, which they think is going to be a part of the answer.

Then, I feel that the school district will need to do something to prepare themselves, prepare so that we can meet this challenge.

In my years in law enforcement, I have felt that there has to be some type of educational program, and I do agree that we need to get to the child at a very, very young age. And I'm not trying to dump all the responsibilities to the school districts. I do understand that, as parents, we do have a responsibility, too.

And it is going to take many, many ingredients to accomplish the job. But I cannot find a better place to begin than maybe at the school district—the school level.

And I do agree with Doctor Gallegos. We cannot continue to soft pedal the issue anymore. We're just going to have to face it head on.

I don't have any more questions at this point, Mr. Chairman.

I would like somebody else to maybe——

Mr. RANGEL. Mr. Hall.

Mr. HALL. I have no questions, Mr. Chairman.

Mr. RANGEL. Well, I think that the members agree that our next panel that we should put on in the area of law enforcement, the local law enforcement agencies first. And then, after that, have that backed up with the Federal law enforcement officials.

And then, when it comes to the community problems that are drug related, perhaps we ought to put the professionals on first and then have the community people come on behind.

Doctor Littleton, your testimony is in sharp conflict with the panel that preceded you, and there's no difference in the degree of concern about the problem that we face.

So, it seems to me that it would be helpful if the community would get together, because it's clear to me that you're probably seeing the same things from a different discipline, from a different perspective.

But if you're doing all that you can with adequate resources and it's not working, then obviously, we have to find out from other people that may not have the training that you have as an educator as to what have they done to make it work.

And maybe the proper place to conduct drug education is the school. Maybe it's the home. Maybe it's the church. But I think we all agree that, collectively, we could be doing a better job, and we want to help you in doing that.

And you say, Dr. Littleton, that as far as resources are concerned, that that's not one of the problems, as you see it.

Mr. LITTLETON. Yes, sir, I know I'm somewhat of a maverick in regard to the question of resources.

I really do believe that I've seen efforts, in my experience with two or three districts and certainly the Corpus Christi public schools, where there has been a very strong effort to eliminate the presence of drugs on campuses, and with some significant success.

Not that it was eliminated, but we've cut it down dramatically from what it had been prior to the advent of this particular policy.

But we still have use of drugs by young people. It's occurring predominantly off campuses.

Mr. RANGEL. But responsible people are saying in testimony—we could swear the witnesses, but it's not necessary. To my knowledge, there is not an overall policy to deal with drug abuse in south Texas schools.

Mr. LITTLETON. OK. I would say: What is the objective of a policy?

If the objective is to prevent young people from ever using drugs, then certainly not. If it is to eliminate the use or possession of those drugs on campuses, then I think you can take a strong stance which will substantially reduce the amount of use on campuses. And I think that's happened here.

I can quote some figures for you.

Mr. RANGEL. How can we claim the policy is working, when yearly there are more of the students being suspended from schools?

Mr. LITTLETON. Prior to the advent of this policy, we had some 300 to 400 cases of first usage or instances of use of drugs on our campuses per year.

The first year in the advent of the policy, it dropped to 100.

It's back up to around 200, but still, nearly only half that which we had in terms of referrals for the presence or use of drugs on campuses before the acceptance of the policy.

Our teachers constantly state in support of the policy that it has eliminated students from coming to campus under the influence or doped up. It has reduced the amount of drugs on campus.

But it can take a very—it can have a very dramatic effect on that. It's the elimination of the use of it by the young people outside the schools that I think is the major problem.

When you refer a youngster to the policy or you point these things out and because of whatever reasons they can't deal with it, that is one, again, loophole and message that comes clear to young people. They have the message on campus. It's outside of that, I think, where we're slipping.

Mr. RANGEL. Have you any reponse to Mayor Lozano's testimony?

Mr. LITTLETON. I didn't hear all of Sam's testimony. Sam and I worked together in Harlingen and was there when, in fact, they established the alternative center.

Regarding resources may be what you're referring to.

Mr. RANGEL. Well, I think, as an educator, you know, people seldom take those problems to city hall, and they go to city hall, and they don't help them there. And I just don't know what you do.

Mr. LITTLETON. Mr. Chairman, first, I don't want to think the phrase should apply. I don't think schools ought not be involved with other agencies. I really do. I think we have a responsibility to do what we can first in our business and on our campuses, and I think we have a responsibility to work with other agencies.

Mr. RANGEL. Let me ask you a question. The mayor is saying that these kids are being kicked out of schools, are causing him problems as mayor, causing him problems in the city council, causing him problems in the juvenile delinquency and crime. And as a politician, he is saying that these kids being kicked out of school are causing the community problems, social problems, and financial problems. And he says that he can save his town a lot of grief by having some of these problems dealt with in the school. And then he goes to the school, and they say, "Well, we don't have money to deal with it here."

You're saying you don't really believe you're causing any problems in the community by expulsion and that you're doing a relatively good job with the resources that you have to work with and, as far as you're concerned, those resources are sufficient.

Mr. GALLEGOS. Mr. Chairman.

Mr. RANGEL. Yes.

Mr. GALLEGOS. There's no question in my mind that we are causing the community a problem. Whenever you take a 14-, 15-, 16-, 17-year-old student and push him out of school, and we do that, we do enforce the drug policies, we have to, we have to address it. And we do suspend for long periods of time.

So, when you do this, that takes that 14-year-old, whether it's in Corpus Christi, or Robstown, or Dallas, and it puts him on the street.

Mr. RANGEL. That's why, doctor, I'm so sensitive to the mayor's problem because most politicians only have the board of election to beat up on, but——

Once you eliminate that guy from your system, it makes your system a lot better to operate. And I guess what you're saying is that it's not your problem once you eliminate him from your system.

Mr. LITTLETON. What I need to clarify on that is where the responsibility for working with parents and young people who have gotten in drugs lives. If it is with the school district, yes, we need more resources. If it is more an integral part of society—or, the community, then maybe some other agencies need those resources.

Mr. RANGEL. I knew, Doctor Littleton, that if we talked long enough that we all would find the type of language. And again, as a lawyer, sometimes it's difficult for me to communicate with my kids, but it just seems to me that we're basically saying the same thing.

There may be some question as to whether or not the school is the proper place, whether it's the home, whether it's a joint effort.

But I think that with so many good and wonderful community leaders that we've had the good fortune to have testify before us, it might be helpful if you could get together and try to find some common language, because you're saying the same thing.

The issue, as I see it now, is you're fulfilling the role that you believe the school should play, but there is a larger role that some other part of society should take.

Jack Cusack read into what you're saying is that, perhaps, it's the supply role, which again brings us back to foreign policy. Has nothing to do with local law enforcement. And there's no question that there is a role.

And all of us have a little expertise as to how we would like to see the problem attacked, but rather than having it appear, and I quote "appear," that it's being shifted——

And that's why I go back to the mayor, because he can't shift because he wears two hats.

But once you say it should be the school system, you can sleep nights, maybe, because your productivity, your classroom grades would go up, especially if you don't live in the same community where you teach.

But if you're concerned about the overall community, I think that the community needs educators to tell them what they can and what they cannot do and where they do need resources, other resources, maybe outside of the educational system.

This is a great panel. You've been a great help. And we will be working with your new Congressman, who has now become a very seasoned Congressman, Solomon Ortiz, to have your comments put on this committee to see how we can be more supportive in trying to eliminate the problem.

We think that your area has to be targeted as a priority area, because if we can't deal with the border and Mexico, then we might as well give it up for the rest of the Nation.

Thank you so much.

We're going to try to shift the schedule a little bit because the third panel is not here. We shifted our witness list.

But we do understand that the State representative panel is here, and if they are here, we would like to hear from them at this time.

Is Miss Watson here?

Miss **Watson**. Yes.

Mr. **Rangel**. Very good.

Doctor Simpson.

And Mr. Veselka?

Mr. **Veselka**. That's correct.

Mr. **Rangel**. And Monsignor Brosnan.

Monsignor, if I'd known you were here, I would have shifted my remarks about the church tremendously.

Monsignor **Brosnan**. No problem.

Mr. **Rangel**. OK. Miss Deena Watson, State drug abuse director, Drug Abuse Prevention Division, Texas Department of Community Affairs, Austin, TX.

Doctor Simpson, director of Behaviorial Research Program, Texas A&M University, College Station.

Mr. Marvin Veselka, associate commissioner for professional support, Texas Education Agency, in Austin. Our good friend, J.J. Pickle from that area.

And the Right Reverend Monsignor Dermot N. Brosnan, Patrician Movement, San Antonio, TX. Our friend Henry Gonzalez from that area, and an old and dear family in New York now from San Antonio, the Sutton family. Percy Sutton is now one of our family's business people, but has been one of our political leaders as well.

Your full statements will be entered into the record. You've had an opportunity to hear the exchanges that we've had from educators and other community people.

And so, feel free, if you will, to deviate from the prepared testimony and to kind of weave in, perhaps, some of these answers to questions that were asked or we did not ask.

We're going to ask that you attempt to restrict your testimony to 5 minutes so that we'll have more of an opportunity to ask you questions.

Miss Watson, would you start us off, please.

TESTIMONY OF DEENA WATSON, STATE DRUG ABUSE DIRECTOR, DRUG ABUSE PREVENTION DIVISION, TEXAS DEPARTMENT OF COMMUNITY AFFAIRS, AUSTIN, TX

Miss **Watson**. Mr. Chairman, I'd like to note that I have brought in this morning an addendum to the testimony to enter into the record. It is merely a directory of the treatment and prevention services supported through our agency.

Mr. **Rangel**. Without objection.

[The directory referred to is in the committee files.]

Miss **Watson**. I do thank you, too, for the invitation to address this committee on a number of issues related to drug abuse in the Nation.

I speak to you from the perspective of the director of the State drug agency and one who has worked in the field nationwide for over 15 years.

I do like to point out that I am particularly pleased that this committee has not restricted its interest to problems related to use of narcotics, as is in the title of the committee, nor to one problem area, because I think it's becoming increasingly obvious that drug abuse is a far-reaching concern.

And I think my central message here today is that we must address all facets of this issue with a well-balanced set of strategies informed by a keen understanding of our history in this area.

This set of strategies must be addressed simultaneously to all populations potentially impacted by drug abuse, and must include balanced supply reduction and demand reduction efforts.

Further, these efforts need to be coordinated and directed similarly at all governmental levels.

I believe that the history of this country's drug abuse efforts has been successive pendulum swings from enforcement or supply reduction to development of services to reduce the demand for drugs.

And although we have made, progressively, technical improvements in both realms, we have yet to accomplish the balance necessary to really impact the problem.

In the past couple of years, the shift of emphasis on the Federal level to supply reduction has been so abrupt as to threaten the continued viability of our prevention and treatment efforts.

With the reduction of Federal funding for drug abuse services and the significant reduction in the leadership role of the National Institute on Drug Abuse, the treatment and prevention system has been weakened considerably.

While there has been a 30-percent decrease in funds for treatment and prevention services since 1980, there had been, in the same period of time, a 30-percent increase in Federal funds for drug law enforcement to a figure which is really $2¼ million higher than the total alcohol, drug, and mental health services block grant.

Now, I'm sure the committee knows, but it hasn't been, apparently, in much of the testimony that I have heard so far in this hearing, that my agency—the Texas Department of Community Affairs Drug Abuse Prevention Division—is the designated agency responsible for drug abuse services in Texas.

We suffer from insufficient visibility, and we do so primarily because our exclusive role has been that of administering the Federal dollars.

The program that we have developed over the years has been one which has followed the guidelines of the categorical grants in drug abuse that were replaced by the current ADMS block grant.

We are in a situation where that has—is a dwindling program. We're making cutbacks because of loss of funds at a time when, as is stated in the written testimony here, at a time when we really need to be expanding services rather than decreasing services.

A great deal of the problem is not just the quantity of services but that we have gaps in the continuity of services in some regions and lack of resources for sufficient coordination between the service sector or the demand reduction sector and the supply reduction sector.

And this is why I have the central theme of balance throughout. It seems to me that a direct outcome of increased supply reduction effort of more arrests, et cetera, will lead, inevitably, to a greater demand for treatment services.

Yes; we need to go through the criminal justice system. Yes; some people are ending in the penitentiaries, but not nearly as many as are arrested. And then, there are those that are very much more appropriate for treatment, I believe, than entering into a revolving-door criminal justice situation.

So I think we have an increased demand for services, as has been brought out and will be brought out by other members of this panel today.

I won't go into statistics that are here in the testimony.

We have been fortunate with the advent of the block grant mechanism. We have been able to take the greater flexibility and requirements that came about with the bock grant and will shift some of our emphasis into greater educational efforts.

We have done this, however, at reduced funding levels. In other words, we're taking on that additional task of direct prevention services within the State as an economy measure.

This, I would point out, is the first time that this agency has been heavily involved in education efforts beyond the field of drug abuse services. We have been involved in training service providers and some people who have a vested interest in the drug abuse community. We now have reached out to public and—the general public and to private agencies providing a great deal of informational materials, training workshops. We have just completed our second annual statewide conference of about 400 participants from—that would include educators, parent groups, and interested parents, school kids, for that matter, related agency personnel from the Department of Human Resources down to the local level. We provided everybody, I think, a very nice workshop. Again, a 3-day conference.

This is the second one. They've been highly successful.

Increasing, as we can, the visibility of the drug abuse issues and problems and being together with various people with the question of what we, as a whole, not just a State agency, intend to do about this problem.

I think it's important to reiterate, since we've had a large bit to do here in Texas with nationwide research on treatment effectiveness, to point out that that research does indicate that drug abuse treatment does work.

We, also, within the State, our State agency, we document individual client records for all of our treatment clients and our most recent data shows that about 50 percent of all clients improved during treatment and of those in treatment 9 months or more, 78 percent show improvement.

I think Doctor Simpson will be able to speak more fully, if you would like, on treatment effectiveness data.

I'm also proud to point out that the State has launched and is now in the fourth year of a prevention management evaluation system. Now, this applies primarily to secondary prevention efforts, intervention and alternative type strategies, and I think is a very fine advance in a very difficult problem of determining just how useful, just how effective prevention strategies really are. That's a very difficult area.

Those of us who worked for years on treatment evaluation thought we had it hard then, but evaluation of prevention strategies, I think, is a much more difficult task but one that needs to be done. I do not think it's the responsible public strategy to begin to say—What we need to do in the education world, we need to prevent drug abuse.

Yes, that's a nice hypothetical situation. Certainly, it's less costly to prevent a problem than to try to deal with its outcome.

On the other hand, we need to know responsibly where to address our public moneys in those prevention efforts, which are going to be most effective.

Our program, as administered at the State level, I think it's important to bring out that this program is perceived—There was some confusion, I believe. Maybe it was the terminology in yesterday afternoon's hearing, and I remember the question from the committee a number of times: Who is your State representative?

I don't know if that was perceived as the elected representative from that district or——

Mr. RANGEL. Elected representatives.

Miss WATSON. Or the State office, whatever.

Mr. RANGEL. No. Elected representatives as to who to take the problem to, if you have a problem, with the administration.

Miss WATSON. Correct.

My agency, I believe, is primarily perceived as running, as it does, a Federal program. We are a State agency, but the guidelines, the direction, the moneys are Federal moneys.

Mr. RANGEL. I'll never understand that.

The President has said that he wants to keep the Federal people out of it and turn it over to you State people so that you'll have the ability to determine the priorities. Now, you're saying that you are viewed as a Federal agency.

Miss WATSON. As a Federal program, not a Federal agency.

Mr. RANGEL. We can discuss that, but we're going to have a big problem with that perception.

Have you concluded?

Miss WATSON. I would like to put in a little plug for the need for continuing the national treatment data system that we have underway that we're now partially continuing on a voluntary basis. And I think this is a very important effort and one that needs to be centrally coordinated to provide appropriate data to your committee and other congressional committees.

[The prepared statement of Miss Watson appears on p. 335.]

Mr. RANGEL. Thank you, Miss Watson. Dr. Simpson.

TESTIMONY OF D. DWAYNE SIMPSON, PH.D., BEHAVIORAL RESEARCH PROGRAM, PROFESSOR, DEPARTMENT OF PSYCHOLOGY, TEXAS A&M UNIVERSITY, COLLEGE STATION, TX

Mr. SIMPSON. Thank you.

I'd like to speak to you from my vantage point as an evaluation researcher. I will not read my statement of testimony. I'd like to make three points, however. These have to do with the questions that were raised in letters we received concerning our statements on effectiveness of services in prevention and treatment services, and also questions about gaps that seem to exist in these services.

Mr. RANGEL. That would be helpful, Doctor.

Mr. SIMPSON. One of the things mentioned in the testimony so far is evidence that Miss Watson referred to concerning the effectiveness of drug abuse treatment services. I've been involved in a project for a number of years with an evaluation research team. The purpose of the project was to evaluate drug abuse treatment programs in a national evaluation study.

From these findings, I think it's important that we recognize that treatment services are having a positive impact. We have evidence that drug abuse treatment programs lead to more positive outcomes in drug abuse, employment, and criminal involvement. These are the behavioral indicators used for judging the outcomes of clients in these programs.

For example, we have found that in the first year following drug abuse treatment, there's only about 40 percent of the sample who continue to use opiate drugs on a daily basis. And the length of time that individuals stay in programs is also related to behavioral outcomes; the longer the treatment, the more positive the outcomes.

We're also in the process now of doing some long-term followup studies of these same individuals to find out what happens, using a historical perspective over a 12-year period of time. In our 6-year followup study, we found that roughly one-fourth of the heroin addicts who came into drug abuse treatment programs were still using heroin on a daily basis; about two-thirds were not using opiate drugs at all. The data we're now collecting in a 12-year followup study seems to indicate that those statistics are still accurate reflections of the current behavioral patterns. Studies of these data will provide information on a national basis about what happens over the long haul with people who come into drug abuse treatment programs.

The second point I'd like to make concerns the need for data. Without some kind of systematic data collection system, we can't know what's going on in programs, nor can we evaluate the effectiveness of those services. In times like we've experienced in the last few years, we know that when dollars are cut, one of the first things that happens is a reduction in data collection activities. Obviously, the treatment service delivery system is a priority, and that seems to be the main thing that's maintained. But I think it's important that we make efforts to continue some sort of systematic data collection system.

Mr. RANGEL. On a national basis? Or locally?

Mr. SIMPSON. Well, I don't think you can separate the two. You have to have the data from the local area which are then fed into a national system.

But as Miss Watson indicated, there is need for coordination in the data base. It doesn't make much sense, I think, for one community to be collecting one type of data, another community to be collecting a different type of data. If they do, we can't combine the data and we can't compare what's happening in different types of programs and different locales.

We are doing some work along this line in the field of prevention with the Drug Abuse Prevention Division at TDCA, which has been guiding and nurturing a drug abuse data collection system for prevention activities over the last 4 years. We now have that system in place, and its purpose is to provide the Drug Abuse Prevention Division with the means for monitoring community-based services which they're purchasing through block grants funds. Its purpose also includes sending information back to the individual programs which will help improve their services through the use of information on clients and client needs. And, finally, it serves as an information base for evaluation.

One of the issues already mentioned in previous testimony is of a special concern in Texas, and that has to do with inhalant use. This seems to be a growing problem and unfortunately, we do not have a very good handle on paint sniffing and inhaling other types of solvents. It is especially a problem among youth in low income Mexican-American communities. I think this area represents one of the gaps in services, and we need to have more information on it.

[The prepared statement of Mr. Simpson appears on p. 346.]

Mr. **Rangel**. Thank you, Doctor.

Mr. Veselka, we have the extensive testimony of Mr. Bynum, who is the commissioner of education in Austin, and that testimony is going to be entered into our record. Would you like to highlight it for us?

TESTIMONY OF MARVIN VESELKA, ASSOCIATE COMMISSIONER, TEXAS EDUCATION AGENCY, DEPARTMENT OF PROFESSIONAL SUPPORT, AUSTIN, TX

Mr. **Veselka**. Thank you, Mr. Chairman and members of the committee.

My name is Marvin Veselka. I'm representing Raymon Bynum, commissioner of education.

Rather than read the entire testimony, there are some highlights I'd like to give to you and then be available for any questions you have afterward.

Mr. **Rangel**. Thank you.

Mr. **Veselka**. We've given some references of limited information concerning the widespread use of drugs affecting large segments of our society and we realize it would be unrealistic to think that the schools are immune to the problems of drug abuse.

We know that data show that the Nation still has the highest level of illicit drug use of any nation in the industrialized world. National and State research reports have shown that drug abuse has a negative effect on the learning process and does contribute to increased school dropouts, truancy, and juvenile criminal acts.

Our agency has not conducted any statewide surveys to determine the levels of drug abuse in the State.

There is great concern, however, that students are beginning to experiment with drugs at a much younger age because of the reports that we receive from individual school districts. It's not uncommon to find 9- or 10-year-olds in local districts experimenting with various drugs.

The response of the Texas Education Agency and the schools in the State to this problem has focused on three parts: Prevention, intervention, and security.

We are all familiar with the definition of prevention.

Intervention is a little further down the road.

And then, the issue of security, which probably has not been brought up in this particular hearing, but it is a part of this whole problem.

We'd like to bring out the point, however, that governance of school districts, in the large part, is the responsibility of an elected board of trustees which makes local policy within the framework of State law and State board of education rules and regulations.

Recent legislation is going to cause a major statewide curriculum revision in the State. It is currently underway, and we anticipate that by the spring of 1984, roughly March of this year, we will have new rules in the area of school curriculum for the first time that will specify requirements for all the districts within the State.

I'd like to point out a few things in the area of health education. It will be required in each district in the State that specific information be taught about negative effects of drugs and the factors that contribute to drug abuse begins at grade 4. It will be developed in grades 4, 5, and 6, a little bit in the junior high, and also in the required course in the secondary level in the high school.

Students will learn that drugs impair physical, mental, and social development and that persons who use drugs depend on drugs, rather than their own abilities. They will learn to be prepared in the likely event that they will have to choose between using or refusing drugs. Students will learn that refusing drugs might require difficult choices and assertive action and that the decision not to use drugs might be challenged by their peers, but they can meet those challenges. They will learn the relationship between drugs and crime. They will learn that citizens are protected by laws and have responsibility for supporting valid law enforcement efforts. They will learn that they will have responsibility, as adults, for improving laws. Above all, they will learn that there are a multitude of productive, satisfying alternatives to using drugs.

It's key to point out here that the requirements will go into effect this spring. In the past, there has been a request for this type of requirement among the schools, but it's been left strictly up to the school in terms of the type of program and the way that it manages it in the curriculum. This specific curriculum change, as mandated, will be implemented through the State board of education rules and will specify the objectives and the outcomes that must be taught in specific grade levels in every school. This will be handled in the health curriculum and the social studies curriculum.

It's been pointed out that there are a number of districts that have some quality programs, but this is a variable among the approximately 1,100 districts in the State.

The State board of education through its rules for the accreditation of school districts requires all districts to have policies pertaining to student responsibilities, rights, and the conditions leading to suspension or other disciplinary actions, and procedural safeguards as required by law. Therefore, each district has developed its own policies and procedures for dealing with drug possession or sale. Emphasis on each district has its own. You've heard many variances in those types of procedures and policies used by the different districts.

Suspension is part of local policy. It may be immediate upon first incident, or it may be a last resort.

Because it is in the best interests of everyone in the State for these students to continue their education, many districts are operating alternative education programs for students who would otherwise be suspended or expelled. One of the objectives of these programs is to identify and assist students who are dysfunctional because of their drug abuse. Many students have to be referred to public or private facilities for treatment.

Alternative education programs are supported through a variety of sources, such as, local, State and criminal justice funds. Our agency is currently funding 16 projects. The legislature appropriated $3 million for the biennium. The projects are concentrated in the areas of highest criminal activity among youths and, in fact, strictly the urban districts and in the valley.

An increasing proportion of a school district's budget is now going for school security measures, such as, guards, alarm systems, building security, and dog sniffer programs. For example, Houston Independent School District spends $1.6 million annually for building security alone and employs approximately 75 people. Dallas Independent School District spends $1.5 million annually for its security system and employs 78 people.

The drug sniffer program throughout the State comes under the expenditures dealing with school security.

Recently, however, a circuit court ruling ruled that the use of dogs to sniff students for drugs constituted a search and that school districts needed to have a reasonable cause before undertaking this action. The outcome of this decision appears to be that the schools will now be confined to using their dogs around lockers and unattended automobiles, not in the proximity of the students.

Schools can make a significant contribution to prevent drug abuse and help students who have problems with drugs to overcome them and continue their education. However, a concerted effort by families and governmental agencies, including schools, is necessary if we are going to stop drug abuse.

We will continue our efforts. We hope the Federal Government will support our efforts by doing the following: Assertively limiting the availability of drugs; providing accurate, timely, and impartial information through its clearinghouse role; supporting research in all aspects of drug abuse and making findings available to the practitioners; examining possible methods of providing more affordable public and private adolescent treatment programs for drug abuse.

Other recommendations we'd like to make at this time include:

School districts should be encouraged to have both prevention and intervention programs for youth at risk of developing serious drug problems.

Second, post-secondary institutions, like the colleges and universities, that prepare educators should include in their courses of study the topics of drug information, methods of identifying and referring students who exhibit signs of drug misuse or abuse, drug abuse prevention curricula, and classroom management techniques.

Students and parents should be trained to organize their communities to combat drug abuse. The schools cannot be effective without them. The Federal Government, in cooperation with States and localities, should foster the formation of peer assistance programs, parent support groups, and community action committees.

Students should be given an opportunity to identify security and drug abuse problems and to develop solutions themselves.

I appreciate the opportunity to express my views and concerns about illegal drug traffic and its effects on the students in our State.

We at the Texas Education Agency and in the public schools of Texas will continue to cooperate in State and national efforts to conquer the problems of drug abuse in the Nation.

Thank you, Mr. Chairman.

[The prepared statement of Raymon L. Bynum which was presented by Mr. Veselka, appears on p. 349.]

Mr. RANGEL. Monsignor, you may proceed in any way that you feel spiritually directed. [Laughter.]

TESTIMONY OF MSGR. DERMOT N. BROSNAN, PATRICIAN MOVEMENT, SAN ANTONIO, TX

Monsignor BROSNAN. Thank you, Mr. Chairman and members of the committee and staff.

I would just make a few further comments to what I have submitted in writing, and one of the comments that I would like to make is that when we talk about substance abuse, prevention or education, I think it behooves us to get back and see, possibly, some of the underlying causes before we make some statements.

And looking at drug abuse over the past 25 years, it has occurred to me that the interest has become rather more than enthusiastic of recent years simply because of the shift in drug abuse from minorities into middle-upper brackets.

It is a good cause that it did happen, in that it brought light to those who have labored for many, many years without the recognition and financial support that they should have gotten many years back. Because the real cause is the water right problem, and the nations of Europe are just as badly straddled as we are.

And to think that the terrorism is now obtaining some of its financing through the illicit drug trafficking is even more scary.

However, on the local level, I feel that some of the problems pertain to, basically, family life, the dissolution of family life in all nations, due to the change in our economic structures, our economic environment, through the continued increase in divorce, child abuse.

And in Texas, the tremendous differential we have in education. For instance, in San Antonio in Bexar County area, we have over 14 school districts for a little over a million people with differentiating standards that, certainly is very selective.

On the State level, we have the per capita rate, certainly, which is equal for all citizens across our State. But the local lack of—the lack of local funds to match the State dollars definitely provides a tremendous differential, where quality education can really become the privilege of those who are in good property taxing areas to generate local dollars.

Certainly, down in the valley there is an acute problem of local funds, and even more so now with the devaluation of the peso and very little solutions coming to the whole border area of approximately 1,200 miles in Texas.

Just yesterday in one of our local papers, a new academic achievement test result was shown, had been given to students in Dallas and seven other major cities around the world, and it indicates that the American children are among the worst students of mathematics in the industrialized world and do not fare much better in the science and geography areas.

And H. Ross Perot is heading up a special committee and says, quote: "Too bad that we can't give a test on football and drill teams so that we could finish first."

I think that we need, in Texas, to really give tremendous support to our teaching profession by way of salaries and by trying to come up with an equitable system of financing in Texas, rather than having it equitable at the State level and then conditioned on local tax dollars being generated to match that.

In addition, we have in Texas, for instance, a situation which our State legislature has to build, in the Harvey McAlister Treatment Program Act, which would have provided for education, research, prevention, treatment, and interface with the criminal justice system. It took 8 years to pass the bill, and 4 years ago it was passed. And it has not yet been funded 1 single dime.

So that the block grants coming in from the Federal Government and which require matching by the State, in Texas was not, in fact, being matched by the State. It was being matched by local programs, most of them private, nonprofit corporations. And the State of Texas wasn't even providing adequate funds for the operation of its interstate agency, so that even some of the funds of the block grant had to be used for that.

Now that we've seen the existence of continued decrease in Federal funding, the State agency is straddled even with a worse situation in that some of the significant programs suffered a 23-percent cut, and the State does not have any money to maintain existing programs, let alone generate new programs, either in prevention, intervention, interface with criminal justice.

Besides that, I think that it's important for us to realize that if the Federal Government had not taken the leadership role in drug abuse treatment and prevention, the States, especially Texas, would not have.

We have had a war on drugs, and it has been successful to the extent to which it has gone. But, in my opinion, it has not gone far enough because it has to get into every aspect of substance abuse.

And we cannot have, for instance, in the Congress of the United States special subsidies for the tobacco industry, which is a deadly substance and is habit forming, while at the same time it has a significant decrease in the funding of prevention and education and treatment dollars for substance abuse. To me, they are completely contradictory.

In addition, I think that treatment effectiveness has to be looked at in terms of local costs. And these local costs have to look at the average treatment residential program in Texas. It's about $27; that will provide for approximately 2,000 hours of treatment in 1 year, as compared to keeping the present type of treatment for approximately $50 a day for nothing, other than warehousing.

And when we look in Texas that we have approximately 210,000 people on State probation and 36,000 people in our prison system, which is under Federal court order to radically reform, and 23,000 people on State parole, and approximately another 900,000 people under some kind of legal involvement, pending indictment or whatnot, it's estimated that 60 percent of these are, in some way, drug related. Yet, Texas has less than 8,000 people in treatment.

So that, when we look at the prevention of importation of drugs, we need to, also, look at the manufacturing of drugs and tremendous industry internally of advertising and the role our media play in, actually, the promotion of drug substances.

That, of course, becomes a rather ticklish question because, of course, it is very self-serving by our major networks who, at many times, set themselves up as experts in the field of substance abuse.

I also think that we have become overstraddled in terms of voting for practically anything we do in our State and local levels. I think there has to be a greater effort to involve people, especially our youth, in the affairs of government—city, county, State, and national. I think we have gone overboard in all of the voting issues we have, and we need to take a look in seeing what damage we may be doing in diluting participation in the affairs of government.

I certainly think that we need to support our local government because these problems all begin locally and never have begun nationally.

However, I think this does pertain to the national Government to protect the rights of citizens of the United States and to see that there is an equitable opportunity in the various needs of people throughout our Nation.

Certainly, in south Texas, I have felt that there has been a gross negligence on the part of providing adequate funds for some unique problems in our border towns and cities. Our intoxicant inhalants is one serious problem.

Also, to be able to provide some residential programs for our youth is also a tremendous vacuum in Texas.

I certainly commend this committee and its chairman for the continued work that you are doing in spite of very, very serious international difficulties, and I have no hesitation in saying that voluntarism is just a little bandy on a matter of international problems, and we do need some very serious infusion of funds nationally and statewide in order to help the local levels.

I think prevention education and treatment and interface and the criminal justice must begin locally, but the funds must be available.

Our local cities and counties do not have these funds in Texas, especially our border towns. And especially, I see that the block grant, at this point, is very much inadequate.

[The prepared statement of Monsignor Brosnan appears on p. 355.]

Mr. Rangel. Monsignor, would you care to address yourself to the national manifesto that you had in your written testimony?

Monsignor Brosnan. Yes. I honestly believe that the major parties have to try and get together and try to put substance abuse outside the realm of politics and to try and bring in, under the manifesto, a type of commission set up by both the House and the

Senate and then comprised of citizenry from each State, both in the public sector, the educational sector and the ecclesiastical sector, to try and develop some type of policy that church and State and educational systems would all integrate in their various roles of revitalization of citizenship.

When I gave up a citizenship from where I left and when I swore to uphold the laws and ideals of this Nation, that was under oath. And I think I had an advantage because I had to give up something to become something.

Sometimes, I think that we do not appreciate the greatness and strength of the citizenry of this country, and we have to try and get to that citizenry on the local level, especially into the families.

But I do believe our national Government is vital in giving that leadership and developing that manifesto because, hopefully, other nations, especially in Europe and the Third World, would then follow suit.

Because I feel that the United Nations has been rather ineffective in giving that leadership role that it could have. And also, the world health organizations have certainly been just mandating even the promotion and the concept of prevention and treatment.

Mr. **Rangel**. You have inspired me, Monsignor, and I assure you that I asked staff to explore this possibility and present it to our members to draft the appropriate resolution to present it to the Members of Congress and to see whether or not we can reach out to the hearts of citizens in order to see whether they can manifest this concern that we should have as a nation.

I would like to share with you that some of the things that we've been trying to do is that we have reached out to legislators, our peers, in drug producing countries in an effort to point out to them that it's not just a question of the United States being a consumer victim Nation, that the profits that have evolved certainly have eroded many of the democracies that are involved in this, whether it's cocaine, marijuana or opium.

So, we will try to do that.

I can see, in reading your testimony, that certainly there's no need to discuss with you your understanding of how the system works. You've made appeals to your State legislators. You've seen the shortfalls of the Federal Government. You understand the block grant system.

What I don't understand is why we have such outstanding priests, ministers, nuns doing this work, and, yet, sometimes we don't hear the strong voice of the church with all of its, not understanding, but power, speaking out to the local and State and the Federal representatives when decisions are being made as relates to budget.

Monsignor **Brosnan**. I think that they, the leaders, suffer from the same thing that our State and national educators suffer from, and that's lack of awareness and lack of sensitivity. And think that's why it appears that the problem is so monumental that they're not sensitive to the intricacies and the massiveness of what is, in fact, happening and how it's eroding our society.

Mr. **Rangel**. That's a sad commentary. I think I agree with you. I find so many committed people that are just so stunned by the enormous nature of the problem that they would rather not even discuss it.

Let me say to Miss Watson that the administration's understanding of block grant is that an appropriation is made, mental health, alcoholism or whatever the particular block is, and this goes to the local State communities for them to decide, without Federal interference and redtape, what their priorities are. And once they decide that more moneys are needed for any of those particular areas, then it is this administration's belief that they, then, go to the resources that are available on the local and State levels to supplement what they, in their opinion, believe should be given priority treatment or to go to our churches and our charitable organizations or to our volunteers and to have them to do it.

And so, if your agency is pictured as a Federal agency, perceived as a Federal agency, it does not follow the thinking of the administration because then no pressures would be placed on you on the local or State level or even the private sector level. So, you should be perceived as an agency that is underfunded.

And with a large amount of the monies coming from the Federal Government, very little direction, you should have your constituents saying: We should be doing more and finding out how they're going to do more.

And what I was trying to say is that, as a former State representative and as an elected official, is that very little pressures are put on us in this area. The dedicated members of this committee volunteered to be on this committee.

And I'd like to point out that the prior two chairmen of this committee were defeated at the polls for reasons which I hope have nothing to do with their commitment to trying to get a handle on this.

But it is not a very popular committee in terms of getting support, and there are a lot of other things we could be doing to build up a lot of support for getting reelected.

And that's why I was trying to stress yesterday to the groups that needed some advice that they have to know the names of their State representatives.

And those State representatives then should say, "Well, have you discussed this with Miss Watson?"

And Miss Watson would say, "Well, we've got too many people coming to us, Mr. Representative, and if you really wanted to take care of some of your constituents' problems, remember us in the State budget."

And, of course, the church would bless the representative for doing such fine work.

[Laughter.]

Mr. RANGEL. Mr. Ortiz.

Mr. ORTIZ. The only question that I have—and I don't know—maybe the Chairman has already asked this question.

Now, once you get this block grant, what formula do you use to distribute the funds, knowing that we do have many communities who have a serious problem? What criteria do you use?

Miss WATSON. The criteria we use start out with the basic allocations as required through the block grant, which is a minimum of 20 percent will go to prevention activities. No more than 10 percent can be used for administration. We use much less than that at this point.

And, in reality, actual allocations, with the exception of some special provisions for the use of the Jobs bill supplement which has special requirements. The remainder of the allocation has basically been a matter of trying to continue to salvage those investments we have already made in building programs, such as the monsignor's and those of Miss Meadows who testified yesterday afternoon.

And so, what I'm saying is: A continuation of services already built has major priority on the treatment side.

A building of new and more varied prevention services has been the intent of our funding allocation on the prevention services.

Mr. Ortiz. Which means that in my community, we're beginning to experiment with this serious problem and I come to you and you wouldn't be able to fund it because you are going to continue to fund those programs that are already preventive; is that correct?

Miss Watson. I would say that is our necessary priority at this time. In the treatment area, in particular, those funds are—we're looking at in fiscal year 1985, a 30 percent reduction of funds available to treatment programming. And this is proportionate with our general reduction in revenues.

Now, our actual funding of service providers at the community level is done on a competitive review process, and that's an important thing to point out.

And even on the treatment side, in each case, we will put out a request for proposals, and all applications are reviewed in competition with each other according to established uniform criteria.

So, it is a matter of, really, we're looking for competent, viable service providers at a community level.

On the prevention side, that competitive review process is also in progress, and, as a matter of fact, my staff is currently reviewing, I don't know how many, quite a lot of applications for prevention services.

We have set up some new categories of projects to bring in new providers that, for instance, as you pointed out, in your community, have some experimenting people or where you have a project for youth at risk, and that would be very possible that an applicant from your community would be funded there, as Dr. Garza is.

Mr. Ortiz. Thank you.

Mr. Veselka, another question that I have, when you mentioned in your statement that: "Further recommendations address the roles of other groups: School districts should be encouraged * * *."

Now, could you expand a little bit as to how you encourage them, if you would?

Mr. Veselka. We have staff that can provide technical assistance and also give referrals.

Once the State regulations are in place, everything else falls back to the authority of the local district.

At this particular time, until the new curriculum reform bill is in place, there is nothing in the State law or board regulations that speaks to any requirements in the schools' curriculum that has to do with drug education and drug abuse issues.

So, current drug programs are established through encouragement, and leadership efforts. Until additional regulations are in place to require school districts to have prevention programs, this will continue.

The statutes that were in place in the State dealing with crime and drug prevention were taken off the books in 197—no, 1981, by the State legislature. So, at this time, our only avenue is to encourage until the new regulations are implemented.

Mr. ORTIZ. What was the wisdom of taking them off?

Mr. VESELKA. I will not speak for the members of the Texas Legislature.

What happened is that the whole area of school curriculum reform was a great issue of concern and debate by many people, causing differences of opinion. And there were many different laws, dating back over the past 50 years, that would specify a requirement to the curriculum. You must teach this, this must happen, and so on. And the aggregate became almost unmanageable.

So, what happened was that the legislature repealed everything dealing with school curriculum and mandated the State board of education, which has 27 State elected members, to come up with a State curriculum requiring specifically by objective and by grade what should be taught.

In the areas of health and social studies, objectives dealing with crime and drugs are a part of that new requirement.

Putting all this into place is coming to closure now. We anticipate new rules to be implemented in all schools next fall, fall of 1984.

So, that was the, quote, "wisdom" at that time.

Mr. ORTIZ. What do you anticipate would be the changes in the curriculum that might have a lot to do with what we're talking about today, drug prevention at the school level?

Mr. VESELKA. Many of the districts have programs that go far beyond what the State will require. But for the first time, we will have assurances that every district in the State is providing prevention information and content dealing with the bad effects of drugs and so on. That will be happening in grades 4, 5, and 6, as I stated. And every district is required by State law and to implement these State board regulations for the first time.

In the past, we have said what should be happening, and we had no assurances that it would. This way, school districts' accreditation will be on the line if it is not meeting that State law requirement.

Mr. ORTIZ. Actually, this would be a mandate that we don't have at this point.

Mr. VESELKA. That's correct.

Mr. ORTIZ. Thank you, Mr. Chairman.

Mr. RANGEL. Congressman Hall.

Mr. HALL. Thank you, Mr. Chairman.

I direct this question to any of the four at the table.

What is the relationship, if any, between illegal aliens and the drug problem?

Monsignor BROSNAN. Personally, I would say that there is very little in our area that I would say by way of relationship with the illegal alien.

I would tend to think that there was more of a relationship between citizens coming in from the Middle East in our area, rather than coming in through Mexico. So, I would not see the illegal alien as being necessarily at all involved in the trafficking of drugs, as such.

Mr. **Hall**. Is that the feeling of the rest of you?

Mr. **Veselka**. We hear speculation, but nothing concrete.

Mr. **Hall**. Well, what is the relationship between drugs and high unemployment, if any?

Monsignor **Brosnan**. I would say that in the Bexar County-San Antonio area as a result of, I would say, the war on poverty in the sixties and into the seventies, with the job opportunity increasing, the GI bill, with the radical change in some of the curriculums in our school districts, once the minorities got an opportunity of upward mobility, employability, college competition and so on, we did see some decrease in drug abuse in those areas.

So, I would say that employability is a high factor, and I would also say that the opportunity of education is a very high factor.

Mr. **Hall**. I might add, sir, that that's exactly the same testimony that we received from people in New York City some months ago, that the high unemployment was a factor in drug abuse.

Monsignor **Brosnan**. And I might add, inferior housing.

Mr. **Hall**. Inferior housing?

Monsignor **Brosnan**. Housing, yes. It tends to get to the dignity of the person. And looking at the plenty versus the lack of it, certainly has a damaging effect on the child.

Miss **Watson**. I——

Mr. **Hall**. Dr. Simpson, I—excuse me.

Miss **Watson**. I just wanted to point out, I do not have the statistics with me, but I seem to see a new trend in drug use patterns that you will find a high positive correlation with unemployment rates in an area, in geographic areas. I think we're finding that very much so in some of our border cities, such as Laredo. It graphically along with unemployment.

Mr. **Hall**. Doctor Simpson, I understand that you have a grant application under review right at this time by NIDA——

[Mr. Simpson nodding affirmatively.]

Mr. **Hall** [continuing]. Regarding people who experiment with inhalants.

Mr. **Simpson**. That's correct.

Mr. **Hall**. All right. What can you tell us about this project?

Mr. **Simpson**. Well, as I mentioned——

Mr. **Hall**. And how it might affect——

Mr. **Simpson**. Well, as it's been pointed out by many who have testified already, inhalant use seems to be a growing problem. It's a considerable concern, certainly in south Texas. Yet, we know relatively little about the use of these intoxicants.

This particular project is one that's based on the information system that was developed with the Texas Department of Community Affairs. Its purpose is to conduct 3-year followup interviews with youth who have a history of inhalant abuse when they come in to the prevention program for counseling for secondary intervention type of services.

Our interest there is to look at the family dynamics, what goes on in the family as possible etiological factors, and look at them over time, whether they go on to other, more serious drugs, whether they continue to use inhalants—just find out what does happen.

Mr. HALL. Do you find that the problem exists in the lower economic strata?

Mr. SIMPSON. Yes. I think it's difficult to separate economics from other etiological factors. One of the things that has been curious to me, and I think to others, is why it seems to affect primarily the Mexican-American community. We also have low socioeconomic black areas and Anglo areas, but they don't seem to be affected to the same extent that the Mexican-American community is.

Mr. HALL. Well, now, does your study also include those illegal aliens from Mexico who may come in, as to what their particular position may be in that regard?

Mr. SIMPSON. The sample would not be stratified on that basis. If such an individual came in, he'd be serviced through the prevention program.

Now, there may be such individuals coming in. I doubt, however, that we have—Well, I'm fairly certain that we would not have illegal aliens and children of illegal aliens in that system. The prevention programs that we work with indicate that the illegal alien families tend not to use social services because of fear of detection. At least, that's my understanding.

Mr. HALL. I think that's correct.

Mr. SIMPSON. So, individuals who would be followed up in our particular study would have been in the community for quite some time.

Now, I think I would like to add to that, if I might, some other concerns that are becoming important, and that has to do with the migrant families, particularly along the border such as in Del Rio. We have one prevention program located there, and the problems of drug abuse seems to be of great concern among those families who migrate up through the Midwest following crops and work on wheat harvest, cherry picking, and the like.

Mr. HALL. Well, let me just sum it up by saying this: We've heard testimony here for 2 days and will hear other testimony this afternoon magnifying this problem. We hear it from the schools. We hear it from the social agencies. We hear it from the churches. We will hear it from the law enforcement people again this afternoon. We heard some from them yesterday.

We get back to a lack of money, a lack of personnel.

And then you get away from the thing after listening to it for 2 days and reflect on what you've heard, and then you come down, or I do, to the bottom line. If we had sufficient funds. And sufficient funds is a very arguable point. If we had sufficient funds and enough people, and if that was used effectively, would that significantly reduce the drug problem in the United States? Without—one caveat. Without getting back to the source areas of Colombia, Mexico, the Central American areas where this stuff is grown without any hesitancy.

Mr. SIMPSON. I don't really know, because I think one of the problems that seems to be prominent from the testimony that we've heard so far is the lack of coordination. Most of us look at this problem from our own particular perspective. You've heard from law enforcement people. You've heard from schools and service providers. Very few of us, I think, have a broad enough perspective, and I think the Monsignor's testimony is interesting because he has backed up and used a broad perspective. I think we all need to be doing that. And we need to coordinate with what's going on in the Texans' war on drugs and the families movement, which are important but don't hit all the areas or address all types of drugs.

Community-based programs, I think, provide an important and unique service, especially among families that are not as well educated. We need resources they can go to when they have problems. And many of the kids coming into these prevention programs do not have caring families. They may have single parents and the parent may be working. They often don't have a good, strong family base.

Mr. HALL. Well, do you think if you had additional money and additional people to facilitate your program that you would ever get that family that you've just mentioned into the mainstream of any program that you're trying to make workable?

Mr. SIMPSON. If you mean all of those families, I'm not sure whether we would or not. I know that we could be doing a better job. From my discussions with people around the State, I know it takes a real initiative to convince the family and educate the family as to what those problems are.

Now, as you know, there's a real movement nationally toward more family therapy. In discussions with treatment programs there is a strong feeling about the effectiveness of family therapy.

Mr. HALL. If the four of you could tell this committee, could mandate this committee to do something to help alleviate the problem, and I'll start with Ms. Watson, first, what would you tell us to go back to Washington and try to get done that would help you with your various problems?

Miss WATSON. May I combine my response with your former question to Dr. Simpson?

Mr. HALL. Yes, you may.

Miss WATSON. I do believe that with sufficient resources, we could significantly reduce the drug abuse problem. I believe that, as I believe everyone here does, because we have to, in order to keep trying, just as you have to believe that there must be a solution to this massive problem.

I do not believe that we will eradicate drug abuse, but I do believe that we can significantly reduce it, that we can cut it down to size. I think there is evidence of that in our effectiveness studies, et cetera.

I believe it's bigger than just looking at illegal drug abuse or drug abuse.

I believe, also, that for that to work, where there are, as you say, sufficient resources, that that must be handled simultaneously with holding down the availability.

I don't think we can do either approach in a teeter-totter effect. If we put all of our resources into reducing the availability of drugs, the interdiction of smuggling, et cetera, et cetera, or all of our money into reducing the demand, it will not work. I do believe that we have to keep both of those things balanced and work on both ends of the problem at the same time.

What I would—and that really is where I am going. I think there are a number of areas that would help, a number of things I would encourage that would put us in that direction of keeping that balance that we need.

I would encourage this committee to continue its support of the Justice Assistance Act and grant name program for taking care of developing a prescription drug diversion program.

I think we've got to hit at all aspects of drug abuse at the same time. We can't focus on heroin. We can't focus on marijuana. We can't focus on inhalants. We're talking about a common ideology here. We need to look more into the research of just what the drug problem is. And I do believe there is evidence that we're talking about a common problem of substance abuse, and if we look at one problem at a time, we're only going to go into substitutions with another substance instead.

I think it would be helpful and in the direction of that balance to look at provisions—a small portion of provisions of civil forfeitures for treatment services which will be needed with the increased arrests.

As I mentioned earlier, title 19 amendments encourage the committee to look into some support for nonhospital-based treatment services out of title 19 payments. These would help with the cost containment efforts contained in there.

Most of all, I would hope that when we're talking about drug education in the schools, in the general public, but particularly, in the early grades of schools, that we talk not about just don't do drugs. We've gone through the forbidden fruit. It works part of the time with some people. I think what we really need to do is talk about health promotion, how to lead a healthy life. Not: Don't do this; don't do that. But rather: What it is you need to be to do your maximum, and that requires that you take care of your body and not do these things.

Mr. **Hall**. Thank you.

Dr. Simpson, then?

Mr. **Simpson**. Well, I do think that additional funds will be helpful. Additional funds are only a means to the end, however. But I think a massive influx of funds, which obviously will not happen, would not be the solution. It would not solve all of drug abuse problems.

I think the programs operating now, both in the prevention arena and treatment arena in the State, simply do not have adequate funds. There are waiting lists, and there are people they cannot serve.

Along that same line, I would like to support something you said a while ago. Namely, that we need to place the responsibility which ultimately is the family. I think we've seen over the last few decades a breakdown of the extended family, and that has a bearing on the drug abuse problems that we see today.

Family dynamics, however, are not immediately effected by dropping a lot of funds. We need to get a strategy together that will be effective in putting back in place the family structure, and the values that the family needs to have to influence the children concerning drug abuse and the problems that are associated with drug abuse.

Mr. **Hall**. Thank you, sir.

Mr. **Veselka**. From my perspective, the State has a responsibility in the education of children. The State needs to be about that in the best fashion it can.

So, therefore, there would be a strong role for the Federal prevention information. The well-educated child can make better decisions and understand, as I think Miss Watson was saying, issues in dealing with the whole area of prevention.

The assistance we would need nationally would be in the areas of decreased availability, obviously, and also something that Simpson talked——

Mr. **Hall**. Increased availability?

Mr. **Veselka**. Decreased availability of the drugs.

Mr. **Hall**. Oh, decreased. All right.

Mr. **Veselka**. Yes. Decreased availability of drugs, and also help with the intangible issue of awakening the American society to the massive problems in this area and also instilling the values in families, since they must support the schools and other agencies in their efforts.

I think the schools can educate, and that is our challenge. If we can't, we need to deal with that. And that we can handle at the State level.

In some of these other efforts we can, obviously, be a part, but it's very, very large. We need the support of all students parents.

Mr. **Hall**. You mentioned the United Nations a while ago. God knows let's don't get them involved in it.

Monsignor **Brosnan**. That's why I said that.

Mr. **Hall**. Sir?

Monsignor **Brosnan**. That's why I mentioned them. Because they have not done a good job.

Mr. **Hall**. They couldn't cure a cold, much less a drug problem.

Monsignor **Brosnan**. That's correct.

If I had to make one single choice to invest the money in one single area without being guilty of simplicity, I would invest it in diagnostic services in the very earliest ages of the child and from the schools. That would probably be K through 8.

The reason I say that is because substance abuse, to me, if you could somehow stop all the sources of drugs coming into our Nation, that would not stop the underlying causation which necessitated some vehicle of escape.

So, to me, the connection, without playing on that word, is between the incumbent problem of the family not being solved within the family dynamics and the forced appearance of it in the extension of the family, namely the schools or the church, that type of triumvirate.

And if you have some good funding into our State educational agencies to provide high technical diagnostic services, I think you're not only going to solve the problem of substance abuse, but, hopefully, crime and many of the other behavioral problems that appear.

In trying to provide that diagnostic service, I think then you could be sensitive to the different cultural and ethnic values of the different parts of your State and population. And I think that's a very frustrating thing in our educational systems, that we have many children thinking in one language and trying to express in another and being misunderstood. We have children being tested in one system and comprehending in another system.

So, I do think that that's one area, and those diagnostic services then being tempered into the things of your cultural, social, environmental statuses and stratas, keeping that in mind, because I think we need to see, for instance, our middle-upper families having a vast problem today. So, obviously, it's not money, and it's not employment in that area. It's other areas. Things like alcoholic parents, child abuse, unemployment, dyslexia, all of the different problems that may not show in substance abuse, but they can show in other areas.

Also, I think that we should take a good look at our insurance carriers and see what can we do by way of providing adequate insurance coverage in nonmedical settings, but in accredited and certified programs that will ensure proper standards, but at a much lower cost and at a much more reasonable cost.

The reason I say that is because right now I feel that the middle-upper class are really being financially taken to the races with exorbitant costs for treatment.

Mr. HALL. I ask this question for information: Do the insurance companies today have an exclusion on drug-related illnesses? I don't know about that.

Monsignor BROSNAN. Some places, they have. In Texas, we just recently had some adjustments made, and the insurance carriers are now providing what I would say token coverage, yes.

However, with very high option insurance, for instance, by your upper class, they're paying phenomenal prices in hospital settings that have unnecessary—and the quality of what they're getting is even suspect.

If you would get those who could pay, either through insurance or through private sources, into the mainstream, you would, also, then be able to help those people who cannot pay and still maintain better services, in my opinion.

I do think that we have to just demand a high quality from our teaching profession nationally. And that would be the second area that I would put money into. Really get the best people we have in this Nation for the minds of our children, our young adults, and adults.

In Texas, that's difficult. The salaries are low, and the State legislature did not come through this time.

But I really think that the teaching profession is one of the most sacred professions there is. And certainly, I would emphasize that, because it gets across all social lines, it gets across all ethnic lines, and to me, it's a necessary thing.

The other thing that I would see would be supporting law enforcement and trying to get them back into the neighborhoods, walking the neighborhoods, and giving them the necessary support services to become familiar with the authors of authority, the families themselves.

Mr. HALL. Thank you.

I yield back the balance of my time.

Mr. RANGEL. I want to thank the panel for its testimony and its recommendations and hope you stay on my case, Monsignor, as relates to the manifesto, and keep in touch with me directly, as well.

If any of you have any additional remarks that you would like to make for the record, the record will remain open.

Thank you very much.

Our last panel deals with the State law enforcement. We have—I'm sorry. We're going to take a 5-minute break for the stenographer, and then our last panel, we will have Colonel Adams, Mr. Lee, and Mr. Hartley.

[Recess.]

Mr. RANGEL. The committee will resume, and we would like to conclude this part of the hearings that we've had in Corpus Christi.

We have, on this panel Mr. Richard Hartley, administrative assistant to the director of Texas Department of Corrections at Huntsville, TX.

Mr. Fred Lee, director of the Criminal Justice Division, of Austin, TX.

The Chair recognizes, for the purpose of introducing the next witness, Congressman Sam Hall from east Texas.

Mr. HALL. Thank you, Mr. Chairman.

This is a distinct honor and privilege that I have here today to introduce to this panel Col. Jim Adams, who is the director of the Department of Public Safety.

I've known Jim for over 35 years, and I think I can say without anyone taking a contrary position, that he's probably, in my opinion, one of the most capable, efficient law enforcement officers in the United States.

He's devoted his life to law enforcement at its highest levels, and I think that the State of Texas is, indeed, fortunate and privileged to have Jim Adams as the director of the Department of Public Safety.

I know we will, but I would certainly ask each member of this committee to listen to what Jim Adams has to say about this subject.

Thank you, Mr. Chairman.

Mr. RANGEL. Thank you, and thank the panel.

We're going to try to ask you to limit your remarks to 5 minutes, recognizing that your entire written statements will be placed into the record. And that will afford the panel, our panel, an opportunity to have more lengthy discussions with you.

We welcome you, and we'll ask you, Colonel Adams, to begin, if you don't mind.

Colonel ADAMS. Thank you, Mr. Chairman.

Mr. RANGEL. I'd like to add that Jack Cusack, too, would like to be included in those laudatory remarks about you, Colonel. He's been after me for the last 2 days to tell me you were coming.

You can add your remarks now for the record.

Mr. CUSACK. Well, it's very difficult to do it in any way that measures up to the fine tribute that Sam Hall has made to Jim Adams.

But I knew Jim during the seventies when he was at headquarters, and I was at headquarters of DEA. And he was just a wonderful professional to work with in every way.

TESTIMONY OF COL. JAMES B. ADAMS, DIRECTOR, DEPARTMENT OF PUBLIC SAFETY, AUSTIN, TX

Colonel ADAMS. Thank you.

I certainly don't feel like a stranger before this committee seeing Congressmen Ortiz and Hall, our relationship, which has gone back in the law enforcement area for many years, has been very favorable and enjoyable.

You do have my written statement, and I just want to express my appreciation for the interest this committee is showing in the border problems we have from the standpoint of drug trafficking.

I think we all realize that the Federal agencies are our first line of defense and especially with the responsibility for helping eradicate drugs overseas and, second, for interdicting them at the border. The manner in which they carry out that sole responsibility certainly has a tremendous impact on State and local law enforcement agencies.

We have a very cooperative relationship with all of these agencies. Once the products do get into Texas or once they're produced here, like, methamphetamines and cultivation of domestic marijuana, then we have a joint responsibility. And that's where our very fine relationship develops.

The State of Texas, of course, is attempting to meet its responsibilities, and we're dedicating resources. We've been able to secure passage of some very fine legislation over the last 4 years, which has had an impact on the problem. And we will continue to do our part.

I think the immensity of the problem is one of the things that almost overwhelms us at times. The national estimate report is indicating that the retail sales of illegal drugs are 79 to 80 billion dollars a year. That's a rather significant figure nationwide.

But when you relate that to other indicators, like, the retail sales of legitimate drug prescriptions in this country being at $10 billion a year and beer, wine, and liquor, $16 billion a year; tobacco $22 billion a year, we can get some idea of how prominent retail sales of drug trafficking are in the economic welfare of this country and the devastation it brings from the standpoint of corruption of law enforcement officers, public officials, particularly in the States of Florida and Georgia where we've just seen case after case develop of that type. And it's an area where we really have to devote our combined efforts, Federal, State, and local, to try to be effective.

At the State level in our particular areas of responsibility, we've started a major program on cultivation of domestic marijuana detection, and we've, again, received assistance from the Federal Government, about $25,000 in funds from DEA to help in this area.

The Forest Service, the U.S. Forest Service, has just given us $7,000 to buy gasoline for our helicopters. And we were able to detect and destroy about 11,000 marijuana plants in several counties worth about $4 million on the street.

So, we do have a good program going in that area. But just in the past year, we've found marijuana being cultivated in 53 of the Texas counties, out of the 254.

In the methamphetamine area and amphetamine, Texas leads the Nation. And I'd have to update the statistics in the prepared statement I have, because we've had several more seizures just in the past few days. Thus far this year, we've seized 32 illegal, clandestine methamphetamine or amphetamine laboratories in the State of Texas. And those 32 are just ones that DPS, Department of Public Safety has participated in. Others have been seized by local sheriffs or police departments without our involvement, just through an investigation on the scene or a chance encounter with them. So, these figures are far from complete and, therefore, do not present the totality of the problem we have in methamphetamines and amphetamines.

A wiretap statute was passed 2 years ago in Texas. We've used it on 10 occasions, arrested 95 people, seized over $12 million in drugs. And the people of Texas have shown their support of this, because in the first case we had under the wiretap statute, they gave the perpetrator a 75-year sentence and a $250,000 fine.

A statute was passed on diversion of drugs requiring a triplicate prescription whereby practitioners must give us one copy of each drug prescription for the schedule 2 more dangerous, addictive drugs. Since that statute was passed, we've had a 48-percent reduction in Texas in 1982, the first full year, 48 percent reduction in the number of schedule 2 prescriptions written in Texas. Before that, we had one doctor who, by himself, in a 7-month period wrote 28,000 nontherapeutic prescriptions at $100 each, $2.8 million. He probably wrote one more prescription for his writer's cramp in writing all of those prescriptions.

We had a pharmacist in Houston who put out 2 percent of the national Dilaudid production on an annual basis, put it out on the streets. You can buy the Dilaudid tablets for 46 cents a piece. They're worth $40 a piece—$25 to $40 dollars a piece on the streets. They didn't need heroin on the street. They had the Dilaudid readily available. Maybe one reason heroin has increased in Texas is because we put him out of business and doctors are being more careful.

But we're doing what we can from a legislative standpoint; from an executive standpoint, the Governor has endorsed our request for additional narcotics personnel. In the next session or the coming session of the legislature and from a law-enforcement standpoint, we can do better.

From the resources we have, we're trying to address the problem in cooperation with the Federal agencies.

That's all I have.

[The prepared statement of Colonel Adams appears on p. 359.]

TESTIMONY OF FRED LEE, LAW ENFORCEMENT PROGRAM DIRECTOR, CRIMINAL JUSTICE DIVISION, AUSTIN, TX

Mr. Lee. May I express the regrets of Mr. Pena. He was involved in a court trial in Houston today, and he asked me to come in and make a few remarks.

You do have his written statement, or it has been sent to you.

Mr. Rangel. That statement will be placed in the record in its entirety without objection.

Mr. Lee. If I may, I'd like to comment on some of the specific things that relate to this area.

The Criminal Justice Division in fiscal year 1984 is going to have about $20 million for distribution around the State for the effectiveness of the criminal justice system. And of this, nearly $10 million are going into law enforcement, over 51 percent.

It happens that in the coastal—the gulf coastal area, there are 4 organized crime units that are being funded by the Criminal Justice Division, out of 11.

The 11 Criminal Justice Division organized crime units have a pooled funding of almost $2 million.

There will be four organized crime units in the coastal area. There's one here in Corpus Christi, one in Brownsville, there's one in Galveston, and there's one in Harris County, which is the Houston area. These are all funded, and have been funded for the last 10 years.

Just a quick summary of some of the statistics that these four units have accomplished.

In the last 2 fiscal years, the four units that are in the gulf coast area have a total seized contraband of $84 million, a seized stolen property valued at over $11 million, and nearly 1,000 felony arrests were made, 998 felony arrests were made, most of which were prosecuted.

The Criminal Justice Division money also has been used, since 1981, to perform the electronic surveillance of drug traffickers which Colonel Adams referred to. The law was passed in the legislature two times back, and to date, the Criminal Justice Division has funded that for over a million dollars.

We do have Criminal Justice Division money in the DARE project. Those sums amount to over a million dollars, and we——

I heard you mention several times this morning at various interviews about alternative schools. One of the biggest pushes we have in the Criminal Justice Division is to fund more alternative type schools. And there is an increasing number of those being funded. And the money is available for that when the agencies come in for them.

Juvenile money has always been more prolific—I guess that's a good word there—than other moneys because Federal systems still fund juvenile projects. We add State money to that. We have a law in our Criminal Justice Division that at least 20 percent of all money collected in Texas for the Criminal Justice must go to juvenile. And that's added on to the Federal money available.

Governor White is behind the program that we're talking about 100 percent. The law enforcement program is being pushed very hard by me and the others in the Criminal Justice Division. We have the backing of Governor White, and, hopefully, if there's more funds available in the next fiscal year, we'll do more.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Pena, which was presented by Mr. Lee, appears on p. 375.]

Mr. RANGEL. Thank you.

Mr. Hartley of the Texas Department of Corrections, Huntsville.

TESTIMONY OF RICHARD HARTLEY, ADMINISTRATIVE ASSISTANT TO THE DIRECTOR OF TEXAS DEPARTMENT OF CORRECTIONS, HUNTSVILLE, TX

Mr. Hartley. Thank you, Mr. Chairman. It's a privilege to be here and testify before the committee today.

You have my written statement, and I'll try in the point of brevity to condense my remarks to you.

The Texas Department of Corrections houses over 36,000 adult convicted felons spread through 26 correctional facilities throughout east and southeast Texas. And throughout this department, we find that a great majority or a great amount of our offenders, although they are not there for crimes indicative by the charge of narcotics, are there for related reasons.

In our prisons, estimates indicate that about 80 percent of the population has admitted histories of drug dependency or addiction. In any examination of this relationship between drug use and criminal activities, accurate statistics are difficult to obtain. Most statistics are the result of self-reported data, so the validity of the finding depends entirely upon the truthfulness of the person making the report.

As a general rule, one would expect self-reported figures are probably conservative, as some persons may be reluctant to report use of an illegal substance.

The March 1983 Bulletin of Bureau of Justice Statistics released results of a national survey of State prison inmates. The results of this report indicate that the connection between drug abuse and criminal activity continues to be strong. More than half of the State prisoners surveyed said they had taken illegal drugs in the month prior to committing the crime.

Some of the significant findings of this survey were that half of the drug offenses were committed while under the influence of drugs. Approximately 25 percent of all burglaries and 20 percent of all robberies were committed under the influence of marihuana. About 12 percent of all robberies and 10 percent of all larcenies were committed under the influence of heroin. Seventy-eight percent of the inmates questioned had used drugs at some time in their lives, and about one-half of the inmates had been daily drug users at some point in their lives with nearly 40 percent having recently used drugs on a daily basis.

In Texas, 52,091 drug arrests accounted for almost 6 percent of all reported arrests in 1982. Most of these arrests were for possession of drugs, and only 8.1 percent of the arrests were for the sale of drugs.

The annual report for 1982 published by the Texas Judicial System noted that drug cases comprised 10.9 percent of all criminal cases added to the district court, and 9.7 percent of all cases in the county court.

During 1982, a total of 1,497 inmates were admitted to the department of corrections for drug offenses. This figure represents 8.97 percent of all admissions to the department in 1982. These inmates include only those incarcerated as a direct result of their drug involvement. Approximately 75 percent of the admissions were 25 years of age or older.

On November 29, 1983, there were 2,197 drug offenders on hand in the population of the department, which comprised 6.1 percent of our total population. The gulf coast area accounted for 1,024 of the offenders. East Texas contributed 513; south Texas, 324; west Texas, 204; central Texas, 76; and north Texas, 56.

We used 12 characteristics to develop a profile of the drug offender in the department of corrections: Age, sex, race, marital status, religious preference, educational achievement, IQ, length of sentence, number of prior confinements in TDC as well as other prisons, reformatory commitments, and number of probated sentences.

The characteristics of the offender in the department of corrections a result of drug involvement—usually for possession, sale, or manufacture of illegal drugs—indicates that these inmates tend to be older, approximately 33.8 years of age. They tend to be male inmates, predominantly white or Hispanic, who had or have been married and who express a preference for either Protestant or Catholic churches. The offenders generally have a seventh grade educational level and tend to score on the lower end of the normal IQ range. Most are serving sentences of less than 10 years and have been confined in the department of corrections at least once previously. The large majority of the drug offenders have been placed on probation at least one time prior to incarceration in the department of corrections.

In order to further obtain insight into the drug offender profile, a random sample of drug offenders in our department were selected. Fifty-nine inmates sampled compared favorably with the general drug offender population in all demographic areas and, therefore, was found to be representative of the population.

A search and review of the record summary card on inmates in the sample revealed that most of the inmates had a history of drug involvement extending back several years. About 80 percent of the group reported a history of drug abuse, 22 percent reported history of drug possession arrests, and 60 percent reported a history of selling drugs.

Records also reveal that most users began in their teens and early twenties with admitted addiction by age 23—among the 24 percent who admitted an addiction.

Arrest records reveal that the majority of the inmates had been arrested about three time for drug-related offenses, three times for property-related offenses, and three times for crimes of violence. About 8.6 percent of the sample was incarcerated for multiple offenses. Theft, burglary, possession and delivery of a controlled substance, burglary of a motor vehicle, and forgery were common offenses that often were found as multiple offenses.

The major portion of the offenders in the department as a result of conviction on a charge of possession was 64 percent, and the remainder were incarcerated as a result of sale or distribution.

The most commonly used drug, by far, was marijuana. Nearly 83 percent of the sample used heroin; 29 percent, cocaine; 27.5 percent, methamphetamines; and 21 percent barbiturates.

The department has an alcoholism-drug program that provides a treatment program for substance abusers incarcerated within the department. Because of the similarities and, quite often, the overlapping of the problems of alcoholism and drug dependency abuse, the TDS program is directed toward both the alcoholic and the drug addict. Estimates indicate that approximately 80 percent of the inmate population is in prison either directly or indirectly because of alcohol or drug abuse.

Thirty counselors and two supervising counselors are authorized and assigned to units to provide counseling services designed to assist chemically dependent inmates and orient them in directions free of the influence of alcohol and drugs.

The major elements of this program are Alcoholics Anonymous meetings, therapeutic group counseling, alcohol and drug education and study sessions, individual counseling, prerelease programs, and unit orientations.

The overall goal of the alcoholism-drug program is to encourage the inmates to reject previous negative behaviors and attitudes, develop more mature behaviors and more satisfying and realistic value systems, thus creating a greater sense of personal worth within the individual and, concurrently, reducing or eliminating alcohol-drug dependency.

The objectives of the program are to assist participants in adjusting to life within the department of corrections; to emphasize alternative means of handling those situations which, in the past have led to alcohol or drug abuse; to help participants realize that they do have choices in selecting responses to situations; to instill in participants an aversion to alcohol-drug abuse; to emphasize productive use of leisure time; to help familiarize inmate clients with community coping skills; and to help ensure client familiarity with the moral and social aspects of drug abuse and the legal consequences of drug abuse.

In conclusion, inmate interviews with the sample inmates were conducted at nine prisons in the system. The interview was directed toward learning more about the motivation for drug involvement and the extent of treatment program involvement. The majority of the sample, 52 percent, considered themselves to be drug users only; 27 percent considered themselves to be both users and drug dealers. Nearly 14 percent called themselves only a dealer. The remaining 7 percent of the sample considered themselves involved to such an extent in drugs that they used, sold, and manufactured them.

Of those inmates who considered themselves dealers or manufacturers of drugs, over one-third, 38 percent, reported that their dealing or manufacturing was to support their habit.

The primary reason cited for drug involvement by the inmates interviewed was peer group pressure. About 64 percent of the group cited the influence and pressure of friends as one of the reasons for getting involved with drugs. The second ranking reason for drug involvement was experimentation. Nearly 39 percent reported that the need for money contributed to their involvement. Only 9 percent reported that their home environment contributed to their drug involvement. Other reasons cited included boredom, something to do, the need to keep going on, and the need to stay awake.

Over 40 percent of the drug offenders interviewed reported that their drug involvement led them to commit other violations of the law. The most frequently reported law violation was burglary, followed by robbery, shoplifting, car theft, and forgery.

When questioned about the progression of their drug involvement, most of the sample reported an initial use of marijuana and sometimes alcohol, which gradually led to use of other drugs. Some reported that the popularity of certain drugs, particularly cocaine, was part of the drug chain. The use changed, as well.

Most of the inmates in the sample had never been a participant in a drug treatment program prior to becoming incarcerated. Only 11 percent of the sample reported participation in the TDC program. The most commonly cited reason for not being in the program was a feeling that they did not need any help.

Each of the inmates interviewed was invited to share comments in the hopes of making people more aware of the situation. Several representatives themes were found in these comments:

Drug use is more extensive than most parents realize.

Drug use leads to bad news all the way around.

Other people are hurt by it and loss of contact with the real world makes coming down even worse.

The highs are not worth the lows.

Marijuana use does lead to other drugs, not so much by a natural progression alone, but by associating yourself with other drug users in an environment ripe for experimentation and fads.

Marijuana is a step in the wrong direction. You can buy it with your allowance.

Education of young children in school as to the consequences of drug abuse is the best tool for combating drug abuse.

A detailed report on drug offenders in the Department of Corrections, Mr. Chairman, is being compiled and will be provided to the committee for your use as deemed appropriate.

Thank you again for the opportunity to appear before you.

[The prepared statement of Mr. Hartley appears on p. 378.]

Mr. RANGEL. Thank you, Mr. Hartley.

Do you know whether other State Departments of Corrections have produced these type of profiles?

Mr. HARTLEY. I have not seen any other, Mr. Chairman. I don't know.

Mr. RANGEL. Have you reached any conclusions as to whether or not these inmates that found themselves in jail that had previous contact with drugs whether it was the drugs and the contact that placed them in jail or whether or not the jail population—whether they would have been in jail with or without drugs?

Mr. HARTLEY. It's my opinion, Mr. Chairman, and as I had testified earlier, that about 80 percent of the people who come to prison come there because of some involvement with either drugs and/or alcohol. And, I think that is a catalyst in getting them involved in criminal behavior.

Mr. RANGEL. You know there are some people that think that criminals just get involved in drugs and alcohol, as opposed to drugs and alcohol pushing people into criminal activities.

You've looked at that, and you believe that the drugs and the alcohol abuse have encouraged criminal activity.

Mr. HARTLEY. Yes, sir. I would have to feel that it does, without a doubt.

Mr. RANGEL. How successful do you believe your rehab program has been?

Mr. **Hartley**. Mr. Chairman, I don't think that any rehabilitation program can be successful without the participants making a total commitment to the program. We can have the greatest rehabilitation programs in the world, but if the inmate does not make a commitment to the program and does not want to better himself, they're useless.

Mr. **Rangel**. Well, how successful have you been in encouraging people to make the commitment.

Mr. **Hartley**. Well, as I testified, only about 11 percent of our inmate population has sought out the help. If you looked at it from a recidivism standpoint, only about one-third of the inmate population returns to prison in Texas. Sixty-seven percent don't.

There are a great many ways you could measure recidivism, and I don't propose to compare Texas to other States because, as you probably well know, there are many different variables in accounting that.

But it is a problem, and without that commitment from the inmate, our programs, our encouragement, and our staff are useless.

Mr. **Rangel**. But you do believe, as a result of your studies and your own experience and background that if these people had not been exposed to drugs that many of them probably would not have landed in jail.

Mr. **Hartley**. My personal opinion, yes, sir.

Mr. **Rangel**. Now, have you been able to produce any type of studies to show the commended cost to the State? Not social costs, but dollars and cents cost of creating these jails and the costs of incarceration.

Mr. **Hartley**. Well, Mr. Chairman, I think if you looked at the cost of incarceration in Texas, and Texas prides itself by having a lower cost per day per inmate, only about $14 per day to maintain an inmate.

But if you take the 2,200 inmates identified soley by narcotics charges, you're looking at a significant amount of money daily. And then, if you add on to it the number of narcotics-related offenses, burglary, robbery, car theft, larceny, et cetera, you're talking about a lot of dollars.

Mr. **Rangel**. Has any case like that been presented, to your knowledge, to the State legislature in terms of saving dollars for preventive programs?

Mr. **Hartley**. Part of the program and rehabilitation has been given to us through the assistance of the legislature, and we're very fortunate in this State that the legislature has identified this as an area for the department to work in trying to turn these lives around and keep the cost to the taxpayer down. So, we're getting excellent assistance and guidance from the legislature in that area.

Mr. **Rangel**. Well, we're fortunate to have a copy of your profile and the information, and we appreciate the fact that you're going to send us an update on it.

Mr. **Hartley**. Thank you, Mr. Chairman.

Mr. **Rangel**. And if you find any other States that are doing this, let us know. And we'll do the same.

Mr. **Hartley**. Will do.

Mr. **Rangel**. Colonel Adams, have you been working with this organized crime drug enforcement task force in this area? Have you met with them?

Colonel **Adams**. We've met with them. Our narcotics personnel work with the different task force, the one with the State. We have an ongoing relationship with all of them.

Mr. **Rangel**. But have you been personally involved in view of your——

Colonel **Adams**. Not with the one right here in the area, no.

Mr. **Rangel**. Well, what relationship would your office have with the task force as concerned with the border problems?

Colonel **Adams**. Well, in our narcotics service, we have 169 narcotics agents, State agents, and along with that, 16 highway patrolmen who are assigned as what we call CLE trooper [criminal law enforcement trooper].

And wherever we work, we work in conjunction with the local authorities. In other words, each task force that's formed, or each organized crime group around the State, interacts with our narcotics personnel.

Mr. **Rangel**. But the State's drug-related crime, especially the drug trafficking, you do find that it's impacted by your proximity to the Mexican border.

Colonel **Adams**. That's right. For instance, on the—like, the Federal agencies have the primary responsibility for interdicting the drugs coming in, but on the Texas-Mexican border, just from Del Rio to Brownsville, for instance, if you take two counties deep, we have identified, say, 700 suitable landing areas for aircraft.

And when you see trends changing, for instance, because of the pressures on Florida, more large aircraft flying into Mexico as a staging area, and the smaller aircraft flying into Mexico from Texas and other States that would then be in range. Texas provides ample opportunity for landing and smuggling through the use of aircraft.

Mr. **Rangel**. Well, how effective do you believe our Federal Government has been in interdiction at the border, at the State for which you have the crime prevention responsibility?

Colonel **Adams**. I'd say that the efforts are not effective, overall effective, because of the large amount of drugs still coming in. When you look, from a national standpoint, and see that last year, for instance, 1982, we say the seizures of cocaine go up from 4,000 to 12,000 pounds. We saw heroin seizures go up from 332 to 608 pounds. And marijuana, 2 million to 3 million pounds. And yet, you find the purity is up and the price is down.

Now, we have to conclude that we're still dealing with just the tip of the iceberg, and we're not interdicting—I think the estimates that the Federal agents have used over the years should indicate that, perhaps, we're seizing about 10 percent of the drugs that are destined for the United States.

So you can't call it effective when you have a 90-percent entry level.

Mr. **Rangel**. Well, have not the Federal task force representatives contacted your office to ask for your input and your experience as to what we could be doing and doing it better?

Colonel **Adams**. Oh, yes. And we're getting better every year.

And I think that what we're seeing is that a shortage of resources at the Federal level, primarily in their interdiction efforts.

We don't have enough for air support in Texas. We put transponders on planes. Our narcotics service, the State service, and in conjunction with U.S. Customs. And it's not unusual for a plane to come back in from Mexico with a transponder working, and no aircraft available to scramble and meet that plane.

So, there you know another load is coming in. It's just like the radar coverage which is insufficient along the border. And we're just—I say it's primarily a question of resources, and in considering resources, you don't just look at enforcement resources. You have to look at the total scheme of things, even how many penitentiary beds we have available.

We have major cases where, for instance, we'll have 110 subjects, major subjects in the case, and it gets whittled down to putting 10 people in the penitentiary.

Some of these cases we take into Federal court, and the U.S. Attorney says, I can't take but 10 of them. We throw away 100, or we throw away 90. The organization is still going to be alive.

And then once they get in the Federal penitentiary, we've had cases where through our wiretaps, not on the person in the Federal pen, but on someone else, we learn that they're still using the telephones out of the Federal penitentiary to run their drug operations.

You don't find that in TDC.

Mr. HARTLEY. No, sir.

Colonel ADAMS. We don't allow them to use a telephone, a public telephone, confidentially. But Federal prisons do, and we pick them up on our conversations still running a drug operation in Texas.

And even in the Shagra [phonetically] case, where the FBI had the wiretap on the suspect in connection with the investigation of the assassination of Judge Wood, the Federal judge down here, they overheard him still running drug operations out of the Federal penitentiary.

I think one thing they should do is shut off those telephones, but that gets into somebody else's business, the Federal prisons, and we don't try to injest ourselves into that from the standpoint of the problems that, again, impact on Texas because of that sort of access to continuing an operation, even after someone's incarcerated.

Mr. RANGEL. Well, the whole spirit of the strategy, if any, is to have cooperation with those on the front line. You can't get any closer to the front line than the Texas border.

Colonel ADAMS. That's right.

Mr. RANGEL. Have you had the opportunity to reduce your recommendations to the Federal Government in writing?

Colonel ADAMS. We have from the standpoint of the—I haven't brought up the telephones in the Federal pen, but on the other aspects, on the increased coverage. We've taken that up through the Governor's conference, and their recommendations. We have a State drug enforcement alliance that we're represented on. We met with the southern Governors first, and then we met with the National Governor's Conference and laid out a number of recommendations from the standpoint of intelligence and resources.

In our meetings, I meet regularly with the U.S. Customs in Texas, the Drug Enforcement personnel, also with the Commissioner of Customs in Washington, the head of Drug Enforcement, head of the FBI.

We have a very good working relationship, and we bring these problems up as they come up. But we still get down to the questions of availability of resources.

Mr. Rangel. Would you be kind enough, Colonel, to provide to this committee a summary of the recommendations that you have made that you would think is a national or Federal responsibility to assist you in carrying out your State responsibilities?

Colonel Adams. Be glad to.

Mr. Rangel. That would be very helpful to us, and if you do it, then you can't be charged with meddling because we're asking for it.

Colonel Adams. Well, I think you have to understand that we have some fire fights from time to time on a local level in any Federal-State relationship, but institutionally, we have a very healthy and very fine working relationship with the Federal agencies. We put out fires rather than let them destroy the effectiveness of what we're trying to do, and that's get at the major drug traffickers in the United States.

Mr. Rangel. Well, our problem, Colonel, is that we have never seen any higher degree of cooperation between Mexican officials, between local officials, and between Federal officials. But we still find the stuff pouring across the borders.

Colonel Adams. That's right.

Mr. Rangel. So, it's clear that as one of the Mexican officials told us last night through an interpreter, we have maximum cooperation, but, obviously, something is lacking.

Colonel Adams. Well, I think you heard a very good presentation this morning, and I don't think you'll find any law enforcement official in this country who doesn't say that the only long-term solution to the drug problem is the education, prevention, and treatment program.

In the meantime, what we try to do is keep the pressure on the illegal trafficking because we know the importance of availability of drugs to draw other people through peer pressure into this net.

And even the figures that Mr. Hartley presented to you show how many people get in through peer pressure, and we need to create more deterrents. The drug problem is just one major part of the total criminal justice system.

Mr. Rangel. Colonel, we know that. And I'm going to rely on the church as it relates to the spiritual family units and prevention.

And certainly, we rely on the State for rehabilitation, which is so important.

But as it relates to law enforcement, if you could just assist us.

And we have the responsibility in directing foreign policy to source countries.

And so, we know the different aspects of it, but because of the proximity of Texas to the border and because of the growing influence of the congressional delegation from Texas, we think that we ought to focus and at least target this area to see what we can do before it just spreads all over.

Your recommendations will be very helpful to us in what we intend to do when we get back to Washington.

So, thank you.

Solomon Ortiz.

Mr. ORTIZ. Colonel, what really disturbs me now: Why wouldn't the Federal prosecutor accept the other 100 cases? What was his excuses?

In other words, I can understand your problem. I mean, in order to cripple the organization, you need to put them in jail.

What excuse did they use?

Colonel ADAMS. They used the same excuse they used when I was in the FBI, and that's the fact that the Federal prison system only has 25,000 beds. We have 36,000 in the prisons in our Texas system.

There are not enough Federal prison beds available to deal with all the people we can arrest and prosecute to date.

And unless you have a constant treatment of the problem, you're not going to have a deterrent.

You can take bank robbers, as an example of what does work. Every bank robbery is reported. Every bank robbery is vigorously investigated. Seventy-five percent of the bank robberies are solved, and invariably, a judge will send a bank robber to the penitentiary upon conviction. And it has the lowest recidivism rate of any of the Federal violations that the FBI has jurisdiction over.

But in these other areas, drug cases, you take coming across the border its different. We passed a tough law in Texas to raise the penalties for multiton lots and 500 pounds or more. And so, now they bring them across in 25-pound lots, 50-pound lots.

And in many cases, upon being detected at the border, they will not be prosecuted by the Federal agencies. They'll draw the line and say, "We're not going to prosecute these small cases," because they don't have the beds, the Federal prisons to put them in.

They don't have—Even if they put them on probation and established a record, that would help because then you would be dealing with a second offender next time, but they're often given a walk in those small amounts.

And we have, you know, hundreds of thousands of Mexican nationals coming across the borders every day. And it doesn't take long for the grapevine to tell you that there's a sanctuary if you just bring across a small amount of drugs.

And that's why I say that there isn't any lack of desire to prosecute, but you have to be realistic because the judges don't have available docket time, or ultimately, there are not enough prison beds.

Now, recently in Gonzales, we had a case we worked with the local authorities, and we did arrest over 100 people. But beforehand, the prosecutor decided on the ones he would usually walk, and they said, "We'll take them in and get a plea of guilty on the condition they get in a treatment program."

And that, I think, is a good approach, rather than just giving everybody a walk.

The top ones, 10 to 15, are going to be prosecuted and sent down to Mr. Hartley in the penitentiary. But instead of giving anybody a walk, they were going to take them and require them to go into a treatment program as a condition of probation.

So, there are avenues to try to treat everybody, not just throw away many of them and not even prosecute them.

Mr. ORTIZ. How many of these, really, do not need treatment, but they go to the bank with the money that they derive from the sales? Now, is there a good percentage of these individuals trafficking in drugs who might not be addicted but are there for the money?

Colonel ADAMS. Absolutely. Because it is so lucrative.

You know, when you look at some of the drug rings that have been broken up nationwide and see someone in a 4-year period making $300 million, you know there is a lot of money involved.

And unless we can create a deterrent, we're going to be encouraging more and more people to get into the drug traffic operation.

Mr. ORTIZ. You know, I feel sorry for law enforcement, especially the position of responsibility that you have. Now, I believe that our society here in Texas and throughout the Nation are being—It's a two-pronged attack. We're not only concerned with how these things come from abroad, but now we're cultivating it here.

Colonel ADAMS. And look at the problems we had, or you had in Congress, changing the "posse comitatus" statute to get a little more military involvement.

And yet, they still have to recognize their first mission is to protect the United States. But if we lose the battle on drug abuse, substance abuse, not just drugs, but alcohol and others, we're not going to need a military to defend what's left. We have to have some balance, and that bill, again, was a very healthy approach toward allowing the military when they could be available to give us intelligence, give us AWACS capability, which still isn't being developed that much because of the cost involved in it, but it's a step toward what we're going to have to do.

Mr. ORTIZ. One more question, and then I'll yield the balance of my time to the chairman.

Now, these people who are cultivating this land, are they the owners of the land, or are they leasing the land through other individuals? How is it working, Colonel?

Colonel ADAMS. Well, a lot of it was found through this project with the U.S. Forest Service, where they furnished us the gasoline for our helicopters. We flew over forest lands, and there were all of these little plots being developed in out-of-the-way places on national forest lands.

It was pretty rare that we'd find someone involved in a large cultivation effort doing it on his own land. Most of the cultivation is on lease land or just in wilderness areas or on U.S. forest land or State forest land.

Mr. ORTIZ. Thank you, Colonel.

Mr. RANGEL. Sam Hall, based in Texas.

Mr. HALL. Thank you, Mr. Chairman.

Jim, have you noticed any change in trafficking patterns of methods of operation of drug smugglers operating in Texas since this—since the military got involved in it?

Colonel ADAMS. We had originally anticipated that there would be a sharp increase in the smuggling coming in through Texas. We have not seen that, yet.

But what we don't know is we don't know whether it's there and it's just not being detected.

For instance, the EPIC reported two boat seizures in the gulf last year, and already this year, I think there have been two.

When you bring Texas into that route, we're still—that just adds a lot more mileage coming out of Colombia, so we haven't seen that much of an increase.

We do think the air traffic has increased out of Mexico, and we've seen the increase in heroin coming in.

Back in the seventies, two out of three kilos of heroin coming into the United States came in from Mexico through Texas. And then, with a fine eradication program they started, that dropped to about 25 percent.

It's increasing again, and we're getting reports of heroin laboratories being set up along the Texas-Mexican border in Mexico.

Mr. **Hall**. Do any of the three of you see any correlation between the civil disobedience that we had in the sixties and the drug problem?

Mr. **Lee**. I don't know myself, no.

Mr. **Hartley**. I don't know of anything that would tie it directly to that, Congressman Hall, but I think that it's probably been brought out to the committee that one thing we are seeing in our country is a trememdous breakdown of the family unit.

And I think if you look at a point, not only for drug activity, but for criminal activity in total, and the breakdown that we've seen of the family, the economic pressures placed on the family—we've got more two-parent working families. We have more one-parent families. We have more parents that don't care as much about the way their kids are doing in school or who they're with. Those type of things certainly fall right into it.

Mr. **Hall**. Thank you.

I yield back the balance of my time.

Mr. **Rangel**. Thank you.

The committee thanks all of you. And again, the record is open for any recommendations you have.

Colonel Adams, because you're so well respected, we'll lean on you a little bit more and hope that we can continue the dialog and exchange.

And thank you, Mr. Hartley, for the fine job that you've done on your profiles. We hope it will be updated and to work very closely with you.

The Chair would like to thank the staff of Congressman Ortiz for the cooperation that they've given to our staff in making certain these hearings took place and pulling it all together.

We also would like to thank the local community leaders, as well as the State officials, both appointed and elected, for taking time out.

Certainly, we've come to support our Federal agencies and departments that have a responsibility of enforcing our Federal narcotics law.

But the Chair would like to single out the Coast Guard for not only the expertise of the testimony that Rear Adm. William Stewart has given to this committee and for the job they're doing of coordinating the gulf area, but also because the Coast Guard support of the mission of this hearing has made it possible for us to be here, and we do hope that those present and those not will have the record to say that we were appreciative. We are.

And I think we also should state the patience of our stenographer for fast-talking politicans and the Texas group.

We thank you very much, and the hearings will now stand adjourned.

[Whereupon at 1:21 p.m. the committee was adjourned.]

[The following was received for the record:]

PRESENTATION BY SAMUEL C. LOZANO

In order to allow everyone ample time to make their presentation, I will keep my remarks as short as possible. The members of the panel have previously received copies of my remarks along with attachments showing statistical data on the drug related problems in our community. Other individuals have testified or will testify on problems in their respective communities. I am sure some of those problems are also indigenous to Harlingen.

As the Mayor and administrator of the Harlingen Independent School District's Guidance Center I am acutely aware of the damage drugs cause in our community. As a member of the School District since 1950 and member of the City Commission since 1962, I have seen drug problems escalate not only in our school but also throughout the country.

As administrator for the Guidance Center I have firsthand contact with every student that uses drugs and becomes a problem for the school system. While my office is designed as a place where disruptive students are sent to continue their education in a more controlled and restrictive environment, it is not designed to address the unique problems of students using drugs. In some cases the Guidance Center is a stopping place for students whose disruptive behavior continues and are finally expelled from the school system.

Expelling students from school is not addressing their drug problems. Instead, in some cases it compounds the problem not only to the student and the school but also to the community by removing the student from a somewhat controlled environment to an environment where he, in some cases, is at liberty to do whatever he pleases due to both parents working or coming from a single parent household. Thus, the juvenile ceases to become a problem of the school and, instead, now becomes the problem of the police department.

While the police department recognizes the drug problem to be of great magnitude which transcends all social and economic levels of the community, it is not designed to treat problems in a preventive manner. Instead, it is designed to arrest and incarcerate individuals who use drugs. Because of the juvenile status of most offenders, there is very little that can be done and many individuals are apprehended over and over again. A juvenile with drug problems is simply turned over to the county juvenile authorities who also are not equipped to address the problem on a preventive level.

We have seen that the traditional methods of dealing with individuals with drug problems have not worked. Expelling the student or incarcerating him for drug abuse is not the answer to the problem. Therefore, it is incumbent upon all of us to look beyond the methods we are using and design one that actually works.

In my many years of experience as an educator, I have seen many reasons why students turn to drugs. Many turn to drugs as an escape from their home environment but it is my opinion the majority turn to drugs because of peer pressure. Many parents cannot compete nor counteract the pressure from our children's peers and, therefore, are helpless to address the problems the youth are having with drugs. This is particularly true of many residents in our community due to their social and educational level when they are suddenly asked to address a problem they are not that knowledgeable about. It would appear an educational program designed for the level of understanding of many of our residents would be essential. Indeed, while many individuals are aware and concerned with the drug problems of the community, I do not believe the entire community has been alerted to the level they should.

Passing laws to make drugs illegal is not the answer either. Enforcement of these laws is a burden on our community's resources but does not address the problem itself.

There are agencies which are designed to address the problems much better than police departments or school districts; however, many of these agencies are underfunded such as the Tropical Texas Center for Mental Health and Mental Retardation. This agency has an excellent staff and opportunity to do preventive work in the area of drug abuse, but, again, because of lack of funds they are unable to have the impact on the problem as they should. It is my opinion that not enough resources, either financial or personnel, are available to agencies to adequately address the problem of drug abuse.

Study after study, report after report, are produced not only by government agencies but by educators regarding drug problems. However, the problem is still with us and continues to escalate. We have seen this country attack other major problems such as diseases, polio and other, and find a cure. I believe the same can also be true of the drug problems in our society.

Because I am so concerned with the problem in our community, I intend to propose to the Commission of the City of Harlingen that a position within the city staff to combat drug problems be created. This individual will act as a liason between the school district, the City of Harlingen, and other agencies dedicated to address the drug problem. This individual will not be a law enforcement person but rather someone who is well versed in drug problems and can make recommendations to the elected officials on how to combat drug abuse.

I sincerely appreciate the opportunity to appear before the Select Committee on Narcotics Abuse and Control and hopefully some answers may come out of this hearing.

VERNON C. JOHNSTON, JR.

Statement for U.S. House of Representatives
Select Committee on Narcotics Abuse and Control
Hearings: December 12 & 13 in Corpus Christi

My personal involvement has been limited to working with youth through the P.T.A.'s H.A.D. (Harlingen Against Drugs), and church youth groups. My opinions are based on conversations with school administrators, Medical personnel,youth workers, and youth themselves. I am the father of a fourteen year old boy and a twelve year old girl and I believe I have a good relationship with them for honest communication.

I have had many opportunities to ask questions and listen to kids. These kids range from eleven to thirteen years of age. They have been open and honest in most answers. When asked if they know "someone" who uses drugs or used drugs in the past, the majority answered,"yes". Many of the kids do not connect "paint sniffing" or "glue sniffing" with drugs. There is an availability of marijuana and other drugs in the schools and general community.

I believe we can have a maintenance program through education, heavier penalties for violators, general law enforcement, and all the social programs currently available. I do not believe we can significantly decrease drug use and abuse until the basic moral and family structures are strengthened; until parents take a position; until the medical community takes a strong position; until the general public is convinced there are short and long run physical and psychological effects; and until the major networks (T.V.), movie studios, and recording companies etc., stop glamorizing drug use.

To my knowledge, there is not an overall policy to deal with drug abuse in South Texas schools. Each school district basically handles their situation per their guidelines. In my opinion, the schools should educate, and the community should be responsible for drug related problems. The community could be the city, county, area, state, or federal government.

I believe the existing Federal, State, and local programs basically deal with the addict or user. I do not believe there are enough efforts being placed in the prevention and education areas, especially in parent education.

In conclusion, I believe that the fact that the Federal Government has to get involved in the education and prevention of drug abuse is a sign of the times. People refusing to take responsibility for their own actions, communities reluctant to deal with their own needs, parents not giving direction, guidance, or discipline to their children; and everyone blaming someone for their own problems. Drug abuse is a cancer that will effect all areas of a persons life. The cancer will spread to family members, friends, schools, communities,etc. The only ones to benifit are the "blood suckerS" that sell, transport, grow, and defend the drugs and drug pushers.

Vernon C. Johnston, Jr.

Vernon C. Johnston, Jr.

12/6/83

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TESTIMONY

By

ELLA PRICHARD

Founding President

Coastal Bend Families In Action, Inc.

Mr. Chairman, members of the committee; I am Ella Prichard of Corpus Christi, founding president and current executive board member of Coastal Bend Families in Action, a non-profit volunteer organization committed to juvenile drug abuse prevention and education in South Texas. I want to thank you for inviting me to appear before you today, and I want to express my appreciation for the contributions made by the committee in securing passage for the Diplomacy Against Drugs bill. I hope you will provide the same leadership in getting the Crime Bill, or its separate components, out of House committee.

For the past three years, due in large measure to the leadership given by the Texans' War on Drugs, South Texans have taken a close look at the use of drugs, particularly marijuana, by juveniles and the consequences of juvenile drug use: to youth themselves, their families, peers, schools and communities. Through the efforts of Coastal Bend Families in Action, parents, educators, law enforcment personnel, elected officials, drug treatment professionals, the medical community and youth themselves have joined together to combat the problem and to work toward a drug-free society.

For too long, in South Texas as throughout most of the country, parents sat by and waited for the "experts" to find solutions. But the "experts" failed to find many solutions that truly worked, and for a decade the amount of drug use among youth continued to climb. With that climb has come the parallel rising death rate among our youth, the only group in American society today whose death rate is not decreasing. Since the beginning of the parent movement in 1977, drug use among high school seniors has begun to drop; and the parent movement, with the support it has won from both the public and private sector, holds great promise for the future.

The parent movement in Texas has been singularly fortunate, for Texans' War on Drugs, established by our former governor, Bill Clements, and chaired by Ross Perot, found models to copy; brought in leaders in drug prevention and information from around the country to educate us; provided staff, programming and print resources to assist us; and created a statewide network, with communication to other states, for morale and encouragement. This caliber of leadership and professionalism gave credibility to the parent movement in Texas. The Junior Leagues of Texas, Texas Medical Association Auxiliary and the Texas Congress of Parents and Teachers quickly joined the movement. Other civic groups have followed. Here in Corpus Christi, our initial support came from our sheriff--now our Congressman--Solomon Ortiz, our mayor and our superintendent of schools. Those who had dealt so long with the problems of juvenile drug abuse--and with the concurrent problem of public apathy--welcomed the participation of parents and the private sector.

Since the local program began, we have studied all aspects of juvenile drug use: causes and effects, treatment and prevention. We turned first to the materials at hand and discovered that not only were textbooks, films and library books out of date; but funding cutbacks at the federal, state and local level made replacing such material virtually impossible. The local office of the Drug Enforcement Administration and the substance abuse office at the Naval Air Station assisted us in obtaining government-printed materials. Other material, not always containing accurate information however, came free or at nominal cost from the National Institute on Drug Abuse. State agencies also had a wealth of free materials, and federally funded treatment agencies were willing to share their resources.

Since then, the picture has changed for the worse. As the parent movement has made its voice heard--that any use of illicit drugs is abuse, that marijuana is physiologically and psychologically harmful--additional major funding cuts have occurred, resulting in fewer and fewer materials being produced at higher and higher costs. Today, NIDA is publishing some excellent materials, many of them especially appropriate for classroom use, but their high cost, e.g., children's comic books that cost several dollars, put them out of reach for the average school district or prevention program.

Certainly, every agency does not deserve to continue. Too many have become self-serving; others have been careless with public funds. Great harm was done when health agencies promoted the theory that marijuana is less harmful than tobacco and alcohol. We need careful accounting: cost-accounting, success rate, accuracy of information; but we do not need to destroy the effective work of our successful agencies.

Similarly, we need to hold our law enforcement agencies accountable; but we will not solve the problem of drug smuggling and trafficking by reducing the staffs and resources of the Customs Service, Border Patrol, Coast Guard and Drug Enforcement Administration.

The schools of South Texas have demonstrated a marked commitment to reversing the upward spiral of drug use at school. Most, like the Corpus Christi District, have adopted tough policies that call for long-term suspension of students who use drugs and alcohol at school. At first the new policy was highly effective, and drug and alcohol use on campus dropped noticeably. But the Fifth Circuit Court ruled that the use of drug-sniffing dogs in the classroom violated students' civil rights, and since that ruling drug suspensions have climbed. Surely, every student has a basic right to attend a school where he can feel safe, where he can learn, where teachers can teach. The disruption of the teaching process by stoned and drunk students is a national problem and needs to be solved at the national level.

Funding cutbacks have tightened school budgets and drastically reduced "frills" like top-quality drug in-service programs and the longtime highly successful "Operation

Kick-It," where state prisoners visit the schools and share their experience. Families in Action has sought to fill the gap. It has purchased films for the Region II Education Service Center, which serves more than 90,000 children in 11 counties; provided funds for in-service workshops; trained volunteers to conduct drug education to more than 2,000 fourth and sixth graders; and financed "Operation Kick-It" in 1982. While it is unrealistic to expect a volunteer organization with an annual budget of $20,000 to carry the major responsibility for drug prevention, this is one example of the kinds of programs being conducted by parent groups across the country.

The Reagan Administration is to be commended for attracting the attention of the public and the media to the seriousness of the drug problem and for involving the private sector in finding solutions. Many of these privately funded programs truly are outstanding, and they tend to be more innovative and more cost-effective than some of the traditional bureaucratic approaches.

Unfortunately, national drug prevention and treatment efforts too often fail to recognize that drug abuse is more than a black-white problem and that regional differences do exist. Films, as well as photographs in textbooks and brochures, show black and white faces and are written in English. They give information on heroin, cocaine and marijuana but not on inhalents--the glue and paint that are the drugs of choice for the poor Hispanic boys of the barrios.

Concerned Hispanic parents cannot get the materials they need in the language they speak. Texas agencies have made every effort to meet the need, but the funds to produce high-quality professional materials are not available. Again, support at the national level is needed.

The best national policy is one that will provide full government support to the public and the private sector, to professionals and parents. It will acknowledge that all mind-altering drugs are a threat to our children and that our nation needs to address drug and alcohol use and abuse as a single problem. It will recognize that drug abuse affects the entire nation, all ages, all classes, all racial and ethnic groups.

STATEMENT GIVEN TO THE U.S. HOUSE OF REPRESENTATIVES SELECT COMMITTEE ON NARCOTIC ABUSE IN CORPUS CHRISTI, TEXAS ON DECEMBER 13, 1983 BY MRS. BURMA BARNETT, PRESIDENT OF THE CORPUS CHRISTI CITY COUNCIL OF PARENT-TEACHER ASSOCIATIONS.

Thank you for this opportunity to speak before you. I am Burma Barnett, President of the Corpus Christi City Council of Parent Teacher Associations. Our City Council is made up of representatives from PTAs in the Corpus Christi Independent School District, Tuloso-Midway Independent School District, and Calallen Independent School District. Our combined memberships are approximately 14,000. I am serving my second term as the Council president. Because Council has not studied specifically the questions you have asked me to address, I am speaking today only for myself and from my own information, research, knowledge and concern about the drug abuse problem in our schools.

Narcotic usage in our young people has dropped from occurring primarily at the high school age down to the jr. high age and, tragic as it is, we are now finding the problem in our elementary children. Marijuana had been found among our first graders.

In our Corpus Christi public schools, marijuana is the major problem with occasionally a student being found with p8lls of some kind. Working toward drug free schools the CCISD Board of Trustees has instituted Board Policy #5143 dealing with drug and substance abuse. This policy was adopted in May of 1981 to be in effect the school year of 1981-1982, and was amended to include drug paraphernalia beginning with the 1983-1984 school year. The policy can be violated by a student found to be under the influence of a prohibited substance or the possession or use of drugs or drug paraphernalia or by the conviction in a court of law of a misdeameanor or felony for the possession, use, deliver, dispensing or sale of a prohibited substance or drug paraphernalia whether on or off school property. or while attending or participating in a school sponsored function.

Students found violating this policy are suspended for the remainder of the term or semester with failing grades. The first year this policy was in effect, 1981-1982, 106 students were suspended. The number rose to 180 during the 1982-1983 school year. As of December 6, 1983 in this, the third year of the policy, there have been 59 suspensions. Of these, 44 have been for marijuana, 8 for alcohol (which is also covered in the policy) and 7 for paraphernalia. Suspended students have the right of appeal to the School District's Hearing Officer and to the Board of Trustees.

How can we claim the policy is working when yearly there are more of the students being suspended from school? We must remember that the intent of this policy is not to see how many students can be caught and "kicked out" of school but rather to impress upon them that drugs are not allowed on school campuses or at school activities.

In the two years since the 5th Circuit Court of Appeals handed down the decision involving the Goose Creek School District and the drug sniffing dog, it is felt that the students are laboring under a false sense of security due to the "drug dog" no longer beging allowed to "sniff out" a person. This complacency may also make up the higher number of suspensions.

This year the suspended students can attend special basic classes and both individual and family counseling sessions at our local Martineau Juvenile Hall. One extra teacher has been hired and one extra portable building has been erected for this purpose.

Corpus Christi Independent School District has no more and probably no less a drug problem than any other school district of similar size. The schools only reflect society and drugs are more available today.

What type of a prevention program do we have here? Staff development sessions assist our teachers in presenting accurate information from Kindergarten through the 12th grade on drug and substance abuse. Not only are the phusiological, psychological and sociological effects of drug abuse taught but more importantly the teachers include decision making, positive peer group relationships, career and life goals, family life and developing and maintaining a positive self-image. Teaching activities based on unbiased, up-to-date information enhance the credibility of the teacher and offer a greater chance to deter the dangerous street information, the subtle media messages, and pop-idol role modeling to which our students are being subjected daily.

The basic concepts of the classification and terminology of drugs are first presented in health and science classes in elementary school and further developed in the secondary schools in health, physical science and biology classes as well as other courses. For example, drug control regulations are treated generally in health class but in more depth in government class. Each grade reinforces and builds on what has been previously taught. Our schools do a good job providing information and helping students handle their personal lives more successfully.

The GATE (Gain Awareness Through Education) program presented by the Junior League of Corpus Christi sends many volunteers with further drug education into our 4th and 6th graders in 2 weekly hour long sessions. GATE is in its third year, having grown from 2 schools the first year, to 14 last year and already having completed 6 in the 1983-1984 year. Parent meetings are also arranged before the actual GATE sessions begin.

In the letter I received from this committee I was asked the question, "What needs to be done to improve drug abuse prevention, treatment and rehabilitation services?" Some of the others here will speak more about the treatment and rehabilitation programs but I would like to address particularly the prevention aspect of this problem.

Teen-agers have listed the following 10 things as their main concern:

1. friends
2. family
3. feelings
4. future careers
5. sexuality
6. parents
7. questions about the universe

8. love
9. safety and security
10. fairness it competition

While teen-agers may have the same concerns as adults, they do not have the skills or maturity necessary to deal with them. The most important skill which teen-agers need to learn is how to develop and maintain a positive self-image. Columbus, Ohio is the headquwrters of a program called Quest/Skills For Living Project, which masterfully deals with the teaching of living skills to high school students. The highly academically oriented school of Bloomfield Hills, Michigan has instituted the Quest/Skills for Living program as a one-semester elective credit course. Quest teaches students proficiency in goal-setting, responsibility, self-control, and self-esteem building. As Mike Buscemi, the national coordinator of the Quest program has said, "We are only going to solve the drug and alcohol problem when we solve the people problem."

Although the Quest program is only in effect at the high school level now, there are plans to implement it in the junior highs next year, and hopefully on to the elementary level. This program was determined by the National Institute of Drug Abuse to be one of the three best drug prevention courses available in the country today, although it is not primarily a drug prevention program. Since Quest, teen-age pregnancy as well as incidents of drug and alcohol abuse in Bloomfield Hills have declined significantly.

The skill which enable young people to deal with peer pressure, with drugs and alcohol incidents, and with changing sexuality we admit are ones which should be nurtured and learned slowly in a loving home environment. This does not always occur, however, so these vital coping skills need to be taught in our schools.

I feel the parents of this country would support the expenditure of Federal, state or local money for such a beneficial program. Only by dealing with the cause of Narcotic and Substance abuse can we effectively eliminate the need for more treatment and rehabilitation programs.

BURMA BARNETT
4209 Carlton
Corpus Christi, Texas 78415
(512) 852-6517

Born: November 12, 1941 Corpus Christi, Texas

Graduated Mary Carroll High School, Corpus Christi
Attended Del Mar College

Married Kenneth H. Barnett for 23 years

Three children: Barry Donald, 22
Jeffrey Thomas, 20
Julie Virginia, 19

All graduates of Moody High School, Corpus Christi. Now attending Del Mar College and Southwest Texas State University, San Marcos.

Has been involved in PTA work for 16 years. Four years on the board of the League of Women Voters of Corpus Christi. Served on board of the Business and Professional Women's Club. Trained as an arbitrator for the Better Business Bureau. Chairperson of Pre-school classes for Norton Street Church of Christ for 6 years. Participant in the Leadership Corpus Christi class XII. Board member of Corpus Christi Families in Action.

Brownsville Independent School District
Brownsville, Texas 78520

RAUL A. BESTEIRO, JR.
SUPERINTENDENT

December 7, 1983

Mr. Charles Rangel, Chairman
Select Committee On Narcotics Abuse and Control
Room 510
3649 Leopard
Corpus Christi, Texas 78408

Dear Mr. Rangel:

In accordance with your request for information regarding narcotic abuse and control, I have conducted a survey on our schools, local law enforcement agencies and prevention and treatment centers. Furthermore, I obtained some statistics from a national journal of alcohol abuse.

Included in this letter are the results of my investigation, as well as my conclusions and recommendations.

According to the Brownsville Police Department, the drug addiction problem in our area has not been researched enough to report the extent of drug addiction. As far as the effectiveness of law enforcement efforts are concerned, the police department is doing everything possible to control and prevent drug abuse. They provided the following statistics on the juvenile drug and alcohol users arrested in the years 1978 and 1982.

	1978			1982	
FEMALE:			**FEMALE:**		
AGES:	11-12	None	AGES:	11-12	1 drug, 1 alcohol
	13-14	2 drug related, 1 alcohol		13-14	2 alcohol
	15	6 alcohol		15	1 drug, 1 alcohol
	16	5 drug, 3 alcohol		16	2 alcohol
	17	4 alcohol		17	5 alcohol
	18	1 drug, 3 alcohol		18	3 drug 10 alcohol
	19	5 alcohol		19	4 alcohol

1102 E. Madison Street AC 512-546-3101

"THE BROWNSVILLE INDEPENDENT SCHOOL DISTRICT IS AN EQUAL OPPORTUNITY EMPLOYER, M/F."

1978			1982		
MALE:			MALE:		
AGES:	11-12	3 drug, 1 alcohol	AGES:	11-12	12 drug, 1 alcohol
	13-14	17 drug, 3 alcohol		13-14	9 drug, 17 alcohol
	15	9 drug, 39 alcohol		15	12 drug, 19 alcohol
	16	20 drug, 59 alcohol		16	14 drug, 34 alcohol
	17	15 drug, 66 alcohol		17	13 drug, 83 alcohol
	18	25 drug, 108 alcohol		18	17 drug, 98 alcohol
	19	19 drug, 90 alcohol		19	24 drug, 124 alcohol

The treatment and prevention activites in our schools and community include the referral of students involved in any kind of chemical dependencies to several agencies and organizations. Copies of these agencies and organizations are enclosed.

With specific reference to the need for comprehensive drug education, my perspective is that there is a vital need if an expansion for such education.

Upon contacting the Cameron County Task Force, I was informed that cities such as Brownsville with its proximity to the Mexican Border are highly affected by the transit of heroin and marijuana from Mexico. The transit of such drugs primarily involves adults and not school age children. However, it appears that the adults and/or non-students do influence the students in our schools.

In regard to the drug abuse problems in our schools, school officials are aware that there is a definite problem. It has been our overall district policy to inform all school personnel either through staff development, lectures, films, and resource people about any and all kinds of narcotics abuse and control.

Our district's overall policy in the dealing with drug abuse in our schools has been to inform and educate students at every grade level. Our school district has also employed agents who use dog sniffers periodically throughout the school year in the schools. At the present time, we are in the process of evaluating the effectiveness of the techniques being used by these agents.

As mentioned earlier you will find copies of federal, state, and local programs available in our community that deal with drug problems. Current programs in our district are addressing the particular needs of students in our area through short and long range goals that are stated in our school district's five-year plan.

The "National Institute of Alcohol Abuse Journal" indicates that 93% of the high school seniors have used alcohol and that 50% of high school seniors use alcohol on a regular basis. Some of these students use alcohol before school, after school, or during lunch. The statistics in this report also show that one out of every seven persons in the United States use alcohol or end up in trouble due to alcohol abuse. At the present time the median age of alcohol users has decreased from 50 year olds to 30 year olds.

The report also infers that most adolescents try alcohol and marijuana between grades five through eight for the first time. One of the newest programs available in Brownsville attacking any kind of chemical dependencies is the Fairlights Incorporation and the Palmer Drug Abuse Program.

Hopefully, through the combined efforts of the House Select Committee on Narcotic Abuse and Control, our local, federal, and state law enforcement agencies, we can determine what needs to be done to correct this problem that prevails in our school of today.

I personally appreciate the concern of your committee for it is evident that drug and alcohol abusers are a definite threat to our society and especially to our youth.

I look forward to hearing from you once again, and I will do my best to keep you informed of any additional information that is within my power to provide to your committee.

Sincerely,

Simon Rivera, Jr.

Simon Rivera, Jr.,
Assistant Superintendent
for Secondary Education

SR/nlo
Enclosures: 5

RIO GRANDE VALLEY MID WAY HOUSE INC.

ADDRESS	605 N. 7th, Harlingen Tx 78550 Tel. 423-9084
HOURS	24 hours a day
ADMINISTRATOR	Al Romero
AREA SERVED	4 County Area
FEE	Pay resident care when able
ELIGIBILITY	Age limit-(18-65) Should be employable Not for emergency services
SERVICES PROVIDED	90 day program Indetermined outpatient care Group and Indiviual Counseling & Educational presentations
SOURCE OF SUPPORT	State Funding & Local Contributions
OTHER INFORMATION	Working residents during the 90 day program contribute to the support.

TEXAS STATE OF STATE DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

ADDRESS	35 Orange, Brownsville Tx 78520 Tel. 542-9151
HOURS	8 a.m. - 5 p.m.
ADMINISTRATOR	Dr. Timithy Brown
AREA SERVED	Cameron
FEE	Pay for some medication if able.
ELIGIBILITY	Anybody who needs help
SERVICES PROVIDED	Will help anybody who wants to get off drugs, provide counseling services, will help people who want to go to the hospital for detact.
SOURCE OF SUPPORT	State funds
OTHER INFORMATION	If minor needs help to get off drugs, he or she can go into office without his/her parents. If minor needs help to get off drinking alcohol, he or she needs parent or guardian to be admitted into the hospital in Harlingen.

REALITY HOUSE

ADDRESS	405 E. Washington, Brownsville Tx 78520 Tel. 541-277
HOURS	24 hour care
ADMINISTRATOR	Mr. Van Vaughn
AREA SERVED	Cameron, Willacy, Hidalgo and Starr Counties
FEE	None
ELIGIBILITY	Federal offenders, those men on parole or on probation, sentenced through court, condition of probation- returned from Federal Correctional Institution.
SERVICES PROVIDED	Readjust to community life, to become a productive citizen to rehabilitate drug addicts and alcoholics.
SOURCE OF SUPPORT	Federal Government contract basis and privately owned.

ALCOHOLICS ANONYMOUS

ADDRESS	705 N. Expwy., Brownsville, Tx 78520	**Tel.** 542-4074 542-9333
HOURS	12 noon - 1 p.m. and 8 p.m. - 9 p.m. (Mon. thru Sat.) 1 p.m. - 2 p.m. and 8 p.m. - 9 p.m. (Sun.) 7 p.m. - 8 p.m. Young Mind meeting	
AREA SERVED	Brownsville	
FEE	None	
ELIGIBILITY	Anyone who wants to quit drinking alcohol.	

VALLEY REGIONAL COUNCIL ON ALCOHOLISM AND DRUG ABUSE

ADDRESS	2733 S. 77 Sunshine Strip, Harlingen Tx 78550 Tel. 42[illegible] (other hours) 423-[illegible]
HOURS	10 a.m. - 4 p.m.
ADMINISTRATOR	Mrs. Romero
AREA SERVED	Cameron, Willacy, Hidalgo
FEE	None
ELIGIBILITY	None
SERVICES PROVIDED	Information-Referral-Speakers Bureau
SOURCE OF SUPPORT	Community Contributions Anticipated Federal funding
OTHER INFORMATION	Co-ordination in Employment Efforts

Testimony

By

Vance Littleton, PhD

Superintendent

Corpus Christi Independent School District

DRUG EDUCATION PROGRAM K-12

Growing up presents many difficulties. Young people are striving to develop from dependence to independence, to gain individual identity, and to reach out socially into a world of changing values, standards, and modes of behavior. Most educators and medical authorities agree that helping the young person to develop a well-adjusted personality is basic to the prevention of drug use and abuse. Studies have shown that the person who succumbs to drug abuse may feel insecure, unrecognized, and unhappy.

The purpose of the Corpus Christi Independent School District's Drug Education Program is to provide accurate, unbiased information and resources to the student. This program assists each student by providing factual up-to-date information through the content areas from kindergarten through the twelfth grade.

Information concerning drugs and the latest research is provided through textbooks, resource speakers, films and filmstrips. Role playing, simulations, and other student-involvement type activities are used to assist students to make informed decisions. These activities are further developed to assist students in establishing positive peer-group relationships.

Activities are employed in several classes to help students in examining various goals -- individual, family, educational, and career -- in order to set the background for setting personal life goals. These goals are evaluated from the student's point of view to help them determine what is needed to obtain other goals in life.

Activities are developed in various subject areas to help each pupil to develop and maintain a positive self-image. When teachers are aware of students who have specific problems other resources are requested, such as the additional expertise of the counselor and/or the nurse.

The Drug Education Program is sequential in nature with the foundation being provided in the elementary schools. Various skills and concepts are introduced in the primary grades and developed at other grade levels. Activities are designed to be student-centered in order to be the most effective.

Student activities are provided through the subject areas of Health, Science, and Social Studies. The basic skill areas are reinforced when students are required to research and report specific questions.

There are many drug education resources available for Corpus Christi students and teachers which include textbooks, curriculum guides, handbooks, and media materials.

Textbooks

State-adopted textbooks are provided to each student in health, life science, biology, American history, government, and psychology classes. The textbooks have met the standards established by the state textbook committee.

Curriculum Guides, Handbooks, and Resource Guides

Drug education resource units and guides, written by and for district personnel since 1970, are available for the subject areas that include drug education units. In an effort to continue to provide accurate, up-to-date drug and substance abuse information, the Health/Nutrition Guides, Grades 1-2, 3-4, 5-6, and the Drug Education Resource Unit (1983-84) have been prepared to assist teachers, administrators, and support personnel.

Media

All teachers are encouraged to utilize the films that are available from the Regional Education Service Center (ESC). Using recommendations from community groups and district personnel, the ESC has updated the film listing with recent acquisitions. Each school library has the media catalogs and supplements, and the librarian facilitates the ordering and showing of the films appropriate for each grade level.

Additional sources of material are available from various community agencies and for the elementary schools from the Elementary Science Center.

Staff Development

Training sessions are provided during Pre-Contract and Pre-School Staff Development, Equivalency Time Programs, and District Inservice Days. These sessions are designed for elementary teachers, science, social studies, health and P.E. teachers, nurses, counselors, administrators, P.E. paraprofessionals, and other interested faculty and staff.

Although every attempt is made to have resource information available that is current and valid, it is emphasized that teachers and support personnel must stay informed of the latest medical research, current community resources, and the changes in drug legislation. Training sessions provide current information as well as topics for classroom discussions and presentations. Teaching activities based on unbiased, up-to-date information enhances the credibility of the teacher and offers a greater chance to deter the dangerous street information, subtle media messages, and pop-idol modeling to which students are being subjected daily.

Additional Resources Available to Students and Teachers

- The CCISD Professional Library provides current magazines and books which are previewed by central office instructional staff. Material with the appropriate content and reading level are included on local bibliographies.

- School libraries provide materials which are reviewed and recommended by the individual school staff.

- Support personnel such as counselors and nurses receive special training and research data in order to meet the unique needs of the schools in which they are assigned. They have materials related to drug use and abuse. In addition, through workshops and newsletters they are informed of a variety of community resource agencies and individuals to whom referrals may be made.

Area Services Available to Students and Teachers

- Non-Profit organizations such as the Coastal Bend Families in Action, C.C. Police Department, Medical Society and Auxiliary, and the Nueces County Alcoholism and Drug Abuse Council provide various services at little or no charge. These resources are available to be used in the instructional program and to meet individual needs.

- Private services are provided by various clinical psychologists, medical doctors, and lawyers at varying rates or fees.

The instructional program includes the following topics:

- Awareness of the useful and harmful effects of drugs
- Accurate information regarding the harmful effects to the substance abuser
    - Physiological effects of drugs
    - Psychological effects of drugs
    - Sociological effects of drugs
- Activities to assist students in
    - Maintaining a positive self-image
    - Making informed decisions
    - Developing positive peer group relationships
    - Setting life goals

Additional drug topics are included in selected subject areas and grade levels. Specific subject areas for the introduction and reinforcement of a concept are determined by teachers and curriculum consultants. For example, drug control regulations are treated generally in health class but are studied in more depth in government courses. The basic concepts of the classification and terminology of drugs are first presented in health and science classes in elementary school and further developed in secondary school courses in health, physical science, and biology.

At least one subject area at each grade level has been designated an emphasis area for drug education. The following chart shows the areas of emphasis.

GRADE	WHERE
K-6, 7 or 8	Health Education
K-6, 8	Life Science
8	American History & Citizenship
9	General Physical Science
10	Health Education
11	American History
12	American Government

The major drug education concepts and topics are presented sequentially. Each grade level reinforces and builds on what has been previously presented. Teachers are not limited to teaching only those concepts listed for their grade level. All teachers at every grade level are encouraged to be alert to the special needs of their students and to provide guidance and information or to recommend the appropriate school and community resource. Information and activities are integrated in all areas of instruction. This assignment of topics is planned to ensure that essential material is presented.

The CCISD Drug Education program is designed to provide information and skills that assist students to handle their personal lives more successfully, to avoid relying on drugs to solve interpersonal problems, and to live with people whose drug use patterns are different from their own.

In addition to providing a strong instructional thrust, Corpus Christi Independent School District is also committed to ensuring a drug-free environment in which our students can learn. The Board of Trustees and administration feel that strong deterrent measures are critical to our efforts to provide safe schools.

The district has in force a strong drug/alcohol policy which is working successfully to remove students who possess or abuse those substances while at school or at school-related activities. The policy requires student offenders -- without exception -- to be suspended for the rest of the semester and to receive F's in all subjects.

Though originally critized by some as being "too tough," this policy has significantly reduced the incidence of possession and use of drugs and alcohol on Corpus Christi Independent School District campuses. The policy is strongly supported by school administrators, parents and the community.

Drug and alcohol abuse is a community concern. As part of the community of Corpus Christi, the school district has played an active role in support of various groups fighting drug abuse.

Recommendations on what is needed to win this battle include:

* Further education for parents on how to develop healthy children who will not turn to chemical dependency, how to recognize clues indicating drug abuse and how to deal with sons and daughters struggling with this problem.

* A wide-spread public information campaign to make society as a whole aware of the dangers of drug abuse and where help is available if needed.

* Additional instruction for teachers and school staff members in how to recognize and help student drug abusers.

ROBSTOWN INDEPENDENT SCHOOL DISTRICT
801 NORTH FIRST STREET
ROBSTOWN, TEXAS 78380
(512) 387-2511

December 7, 1983

Honorable Charles B. Rangel, Chairman
Select Committee on Narcotic Abuse
and Control
Room 501
3649 Leopard
Corpus Christi, TX 78408

Dear Congressman Rangel:

Thank you for offering me the opportunity to address the Select Committee on Narcotics Abuse and Control on the critical topic of drug addiction problems in South Texas. I appreciate the fact that this Committee has decided to conduct this hearing. It will convey a strong message throughout Texas. I will speak to you today from the perspective of a school superintendent and state the problems educators contend with as follows:

1. Extent of the drug abuse problem in the schools and what can be done to more effectively bring the problem under control.

There are definitely problems in regards to drug abuse in American Public Schools today. By this, I mean that students are definitely using or experimenting with drugs at a higher level than ever before. The availability of drugs coupled with permissive societal attitudes will continue to make this problem one of major porportions. It is imperative that all public agencies work together to combat the problem.

I would like to state that educators are making efforts to combat the problem. They and school boards are attacking the problem through the implementation of strict drug abuse policies and drug prevention programs which involve parents and other citizens in the community. We all have a stake in solving the problem of drug abuse.

In our district, we have a very strong policy which is enforced by school administrators and supported by our Board of Education. We will simply not tolerate drug abuse by our students. I would further suggest that school districts increase communications and not allow suspended students to cross school district boundaries to register.

In Robstown, we also have a community-wide Drug Education Committee composed of educators, students, and parents. The committee is generating a drug awareness program that I believe will have a very significant impact on drug abuse in our schools and community. Also, we have been working jointly with the Coastal Bend Families in Action Committee to combat drugs in our schools.

I do not believe there is a significant effort at the Federal and State level that attempts to address the drug abuse problem in the schools. There is a definite need for greater resources to be allocated to assist school districts with their drug abuse and prevention programs.

It is particularly important that resources be made available to school districts of all sizes for alternative education programs for those students who are suspended for drug abuse.

In conclusion, I would encourage this committee to provide the needed emphasis at the Federal, State and Local level to direct both human and material resources at the elementary and secondary level of public education to combating this serious and ever growing problem.

Sincerely,

Jose Gene Gallegos

Jose Gene Gallegos, Ed. D.,
Superintendent

JGG/ce

Encl: 1 Drug Abuse Policy

TESTIMONY FOR "DRUG TRAFFICKING AND ABUSE ON THE TEXAS GULF COAST"
HEARING OF THE U.S. HOUSE OF REPRESENTATIVES SELECT COMMITTEE
ON NARCOTICS ABUSE AND CONTROL
DECEMBER 12-13, 1983
CORPUS CHRISTI, TEXAS
DELIVERED BY DEENA WATSON, DIRECTOR
DRUG ABUSE PREVENTION DIVISION
TEXAS DEPARTMENT OF COMMUNITY AFFAIRS

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, I THANK YOU FOR THE INVITATION TO ADDRESS A NUMBER OF ISSUES RELATED TO DRUG ABUSE IN TEXAS AND THE NATION.

I COME TO SPEAK TO YOU FROM THE PERSPECTIVE OF DIRECTOR OF A STATE DRUG AGENCY AND ONE WHO HAS WORKED IN THE FIELD OF DRUG ABUSE NATIONWIDE FOR OVER 15 YEARS.

I AM PARTICULARLY PLEASED THAT THIS COMMITTEE HAS NOT RESTRICTED ITS INTERESTS TO PROBLEMS RELATED TO USE OF NARCOTICS NOR TO ONE PROBLEM AREA FOR IT IS BECOMING INCREASINGLY OBVIOUS THAT DRUG ABUSE IS A FAR-REACHING CONCERN, AND MY CENTRAL MESSAGE HERE TODAY IS THAT WE MUST ADDRESS ALL FACETS OF THIS ISSUE WITH A WELL-BALANCED SET OF STRATEGIES INFORMED BY A KEEN UNDERSTANDING OF HISTORY. THIS SET OF STRATEGIES MUST BE ADDRESSED SIMULTANEOUSLY TO ALL POPULATION POTENTIALLY IMPACTED BY DRUG ABUSE AND MUST INCLUDE BALANCED SUPPLY REDUCTION AND DEMAND REDUCTION EFFORTS. FURTHER, THESE EFFORTS NEED TO BE COORDINATED AND DIRECTED SIMILARLY AT ALL GOVERNMENTAL LEVELS.

THE HISTORY OF THIS COUNTRY'S DRUG ABUSE EFFORTS HAS SEEN SUCCESSIVE PENDULUM SWINGS FROM ENFORCEMENT OR SUPPLY REDUCTION TO DEVELOPMENT OF SERVICES TO REDUCE DEMAND FOR DRUGS. ALTHOUGH WE HAVE PROGRESSIVELY MADE TECHNICAL IMPROVEMENTS IN BOTH REALMS, WE HAVE YET TO ACCOMPLISH THE BALANCE NECESSARY TO REALLY IMPACT THE PROBLEM. IN THE PAST FEW YEARS, THE SHIFT OF EMPHASIS TO SUPPLY REDUCTION HAS BEEN SO ABRUPT AS TO THREATEN THE CONTINUED VIABILITY OF OUR PREVENTION AND TREATMENT EFFORTS. WITH THE REDUCTION OF FEDERAL FUNDING FOR drug abuse services and the significant reduction in the leadership role of the National Institute on Drug Abuse, the treatment and prevention system has been weakened considerably. While there has been a 30 percent decrease in funds for treatment and prevention services since 1980, there has been in the same period of time a 30 percent increase in federal funds for drug law enforcement to a figure which is 2¼ million dollars higher than the total Alcohol, Drug and Mental Health Services Block Grant.

The Texas Department of Community Affairs is the agency designated to administer the drug abuse portion of the ADMS Block Grant in Texas, and has been the lead state agency for drug abuse services for 14 years. The drug abuse prevention division within TDCA has responsibility for estimating the extent and nature of drug abuse problems in Texas, allocating available resources to address these problems through treatment and prevention services, and coordinating the efforts of interested agencies and individuals.

Currently, we estimate that over 700,000 Texans are in need of drug abuse treatment. As many as 14,000 people aged 12-17 may be added to that figure each year as they reach drug-abusing age. In addition, over half a million young people age 12-17 are at risk of becoming dependent on drugs and require prevention services. Each year an increasing proportion of treatment admissions are referrals from the criminal justice system.

The following comparisons between drug abuse patterns in Texas and national figures are derived from individual client records maintained on clients admitted to and discharged from federally funded drug abuse treatment programs in Texas and nationally. Heroin, amphetamines, marijuana and other opiates, in that order, are the major primary drugs at admission to treatment in Texas whereas, nationally, marijuana is more prevalent than amphetamines.

In Texas, secondary and tertiary drug problems reported are more often marijuana rather than alcohol as reported nationally.

Treatment admissions and arrests data show an increase in heroin use in Texas beginning in 1982 after 2 years of leveling off. Amphetamines have shown a slight annual increase and treatment admissions for marijuana decreased slightly in 1982. Two charts provide these data in greater detail. Although the incidence and prevalence of inhalant abuse is lower than these other drug categories it merits special concern here. In the past year, over six percent of admissions to drug abuse treatment programs funded through this agency were for inhalant abuse. This is about six times the rate reported for the United States in 1981 by the National Institute on Drug Abuse (NIDA).

Concerned citizens in two Texas cities have responded to this phenomenon through the formation of community action groups. The San Antonio Toxicant Inhalants Task Force sponsored by Nosotros, Inc. monitors local businesses for compliance with recently enacted state law prohibiting the sale of spray paint to minors. Another group, Parents and Neighbors United has effectively utilized the media and law enforcement agencies in bringing the inhalant abuse problem to light in the Houston area. The group seeks to enhance awareness of the dangers of aerosol inhalation and organizes boycotts of businesses that sell or manufacture these products.

The current drug abuse program operated by TDCA consists primarily of the administration of community-based prevention and treatment services providers and the direct provision of drug abuse education services from the state level. In the area of prevention, 29 community-based programs are funded at

AN ANNUALIZED TOTAL OF $1.1 MILLION AND SERVE ABOUT 200,000 PERSONS A YEAR. IN THE AREA OF TREATMENT SERVICES, TWENTY-SEVEN COMMUNITY-BASED PROGRAMS RECEIVED CONTINUATION FUNDING FROM TDCA OCTOBER 1, 1983 AT A TOTAL OF $5.4 MILLION. FINALLY, THE AGENCY PROVIDES NUMEROUS DIRECT DRUG EDUCATION SERVICES. FOR EXAMPLE, THE TEXAS CLEARINGHOUSE FOR DRUG INFORMATION DISSEMINATES ABOUT 187,000 PIECES OF LITERATURE PER YEAR, AND APPROXIMATELY 800 PERSONS HAVE RECEIVED TRAINING OR HAVE ATTENDED EDUCATIONAL SESSIONS IN THE LAST YEAR.

ALTHOUGH THE ADVENT OF THE BLOCK GRANT MECHANISM RESULTED IN A REDUCED FUNDING LEVEL, WE, WITH SOME OTHER STATES, WERE FORTUNATE TO HAVE HAD OVERLAPPING FEDERAL FUNDS AVAILABLE IN 1982. WITH CAREFULLY PLANNED FORWARD FUNDING THE FULL EFFECTS OF THE 30 PERCENT REDUCTION IN ANNUAL AWARDS LEVELS OVER THE PEAK IN 1980 WILL NOT BE FELT UNTIL FY 1985. WITHIN THAT TOTAL REDUCTION, ALLOCATIONS TO TREATMENT NECESSARILY DROPPED 5.4 PERCENT IN FY 1981, ANOTHER 3.1 PERCENT IN FY 1982, 2.7 PERCENT IN FY 1983 AND A FULL 12.5 PERCENT IN FY 1984. BY 1985, THE TOTAL DROP IN TREATMENT FUNDING COMPARED TO FY 1980 WILL BE 30 PERCENT.

IN ADDITION TO THE REDUCTION IN OVERALL FUNDING LEVEL, TREATMENT ALLOCATIONS HAVE BEEN REDUCED AS A RESULT OF THE ADMS BLOCK GRANT STATUTE WHICH REQUIRES STATES TO ALLOCATE 20 PERCENT OF THESE FUNDS FOR PREVENTION SERVICES. SINCE THE ADMS BLOCK GRANT DID NOT PROVIDE NEW FUNDS FOR THIS PURPOSE, TEXAS, LIKE MANY OTHER STATES, HAS HAD TO REDUCE TREATMENT SERVICES IN ORDER TO MEET THE PREVENTION REQUIREMENT.

COMMUNITY-BASED TREATMENT SERVICES SUPPORTED BY TDCA ARE

TARGETED TO INDIVIDUALS DIAGNOSED AS DRUG ADDICTED OR DRUG DEPENDENT. INDIVIDUALS WHO ABUSE ANY DRUG (EXCEPT FOR EXCLUSIVE USE OF ALCOHOL) ARE CONSIDERED FOR ADMISSION TO TREATMENT IF THEIR CHRONIC, COMPULSIVE USE OF THE DRUG HAS RESULTED IN A PSYCHO-PHYSIOLOGICAL DEPENDENCE AND/OR HAS ASSUMED A CENTRAL NEGATIVE ROLE IN THEIR LIFESTYLE. A COMPREHENSIVE PSYCHO-SOCIAL EVALUATION DOCUMENTING EMOTIONAL AND/OR BEHAVIORAL PROBLEMS RESULTING FROM DRUG ABUSE IS UTILIZED BY PROGRAMS FUNDED BY TDCA TO DOCUMENT THAT TREATMENT SERVICES ARE PROVIDED IN ACCORDANCE WITH THE ABOVE POLICY. DRUG ABUSE SERVICES SUPPORTED BY TDCA CONSIST OF DETOXIFICATION, DRUG MAINTENANCE, AND DRUG-FREE SERVICES DELIVERED IN RESIDENTIAL OR OUTPATIENT ENVIRONMENTS.

NATIONWIDE RESEARCH AS WELL AS OUR OWN CLIENT OUTCOME MEASURES DEMONSTRATE DRUG ABUSE TREATMENT WORKS. OUR MOST RECENT DATA SHOW THAT 50 PERCENT OF ALL CLIENTS IMPROVE DURING TREATMENT. OF THOSE IN TREATMENT 9 MONTHS OR MORE, 78 PERCENT IMPROVE. IN TERMS OF TREATMENT SETTING, SIXTY PERCENT OF ALL RESIDENTIAL CLIENTS SHOW IMPROVEMENT IN DRUG USE PATTERNS OR IN LEVEL OF EDUCATION ATTAINED AT DISCHARGE. THE RATE IS 70 TO 80 PERCENT IMPROVEMENT FOR CLIENTS PARTICIPATING IN TREATMENT AT LEAST SIX MONTHS. OVER 50 PERCENT OF OUTPATIENT CLIENTS SHOW THESE IMPROVEMENTS AT DISCHARGE, WITH OVER 70 PERCENT IMPROVEMENT FOR THOSE REMAINING IN TREATMENT NINE MONTHS OR MORE.

TEXAS TREATMENT CLINICS APPEAR TO BE ABLE TO RETAIN CLIENTS BETTER THAN THE NATIONAL AVERAGE. HOWEVER, TEXAS CLINICS DISCHARGE MORE CLIENTS FOR NON-COMPLIANCE AND ARE LESS LIKELY TO DISCHARGE CLIENTS WHO STILL OCCASIONALLY USE DRUGS AS HAVING COMPLETED TREATMENT. THE RATE OF ARRESTS FOR CLIENTS WHO HAD

AN ARREST RECORD AT ADMISSION AND WHO STAY IN TREATMENT OVER A LONG ENOUGH PERIOD OF TIME TO COMPARE DURING-TREATMENT ARREST RATE ALSO SHOWS IMPROVEMENT.

DESPITE THESE CLIENT OUTCOMES, AND THE QUALITY OF PROGRAMS DEVELOPED OVER TIME, THERE ARE GAPS IN OUR PROVISION OF TREATMENT SERVICES. MANY PROGRAMS ARE FINDING IT DIFFICULT WITH REDUCED FUNDING TO PROVIDE A FULL CONTINUUM OF NEEDED SERVICES AND TO UPDATE TREATMENT STRATEGIES IN LIGHT OF CURRENT RESEARCH. A SYSTEMATIC STATE-WIDE REFERRAL NETWORK INCLUDING PRIVATE AND PUBLICALLY FUNDED PROGRAMS IS NEEDED TO ALLOW FOR GREATER ACCESSIBILITY TO TREATMENT OF ALL PERSONS IN NEED AND TO APPROPRIATELY IDENTIFY TREATMENT NEEDS. FURTHER, STATEWIDE DEVELOPMENT AND COORDINATION ARE NEEDED TO PROVIDE FOR APPROPRIATE REFERRAL TO TREATMENT OF PERSONS CHARGED WITH CRIMES. DURING THE FIRST NINE MONTHS OF 1983, TREATMENT PROGRAMS FUNDED BY TDCA SERVED ALMOST 10,000 PERSONS. HOWEVER, AS OF OCTOBER 1, 1983, THERE HAS BEEN A 13 PERCENT DECREASE IN FUNDING AND AN ADDITIONAL 10 PERCENT DECREASE FOR TREATMENT SERVICES IS ANTICIPATED FOR NEXT YEAR, SO THAT BY 1985, ONLY 8000 PERSONS WILL BE ABLE TO RECEIVE TREATMENT WHEN OVER 700,000 PERSONS IN TEXAS ARE REPORTED TO BE IN NEED OF TREATMENT. THUS AT A TIME WHEN THE EFFECTIVENESS OF TREATMENT CAN BE DEMONSTRATED AND THE NEED FOR TREATMENT SERVICES IS INCREASING, TREATMENT RESOURCES AND CAPACITY ARE DIMINISHING.

TDCA OBLIGATIONS TO PREVENTION CONTRACTORS HAVE BEEN INCREASED TO MEET THE 20 PERCENT MINIMUM REQUIRED BY THE ADMS BLOCK GRANT. IN ADDITION, TDCA HAS SIGNIFICANTLY INCREASED ITS DIRECT PROVISION OF PRIMARY PREVENTION SERVICES. INCREASED EMPHASIS HAS BEEN PLACED ON STATE-LEVEL EDUCATION EFFORTS

RESULTING IN ABOUT A 30 PERCENT INCREASE IN LITERATURE DISTRIBUTED AND ABOUT 3 TIMES THE VOLUME OF FORMER EDUCATIONAL EFFORTS.

AS SUPPORTED BY NATIONAL RESEARCH, FUNDING PRIORITY FOR PREVENTION HAS BEEN GIVEN TO COMPREHENSIVE SERVICE PROVIDERS, WHICH TARGET YOUTH CONSIDERED TO BE AT HIGH RISK FOR DRUG INVOLVEMENT. SERVICES INCLUDE INTERVENTION SERVICES DESIGNED TO PROVIDE ASSISTANCE AND SUPPORT TO HELP PERSONAL ADJUSTMENT DURING CRITICAL PERIODS, ALTERNATIVES SERVICES DESIGNED TO OFFER POSITIVE EXPERIENCES AND PROVIDE OPPORTUNITIES FOR CONSTRUCTIVE PEER INVOLVEMENT, EDUCATION SERVICES DESIGNED TO ASSIST INDIVIDUALS IN DEVELOPING AFFECTIVE SKILLS AND INFORMATION SERVICES DESIGNED TO DISTRIBUTE ACCURATE AND OBJECTIVE INFORMATION ABOUT DRUGS AND THEIR EFFECTS. DATA FROM THE PREVENTION MANAGEMENT AND EVALUATION SYSTEM (PMES) SHOW THAT YOUNG CLIENTS SERVED BY THESE PROGRAMS ARE MOST LIKELY TO HAVE USED ALCOHOL (68 PERCENT), MARIJUANA (61 PERCENT) AND INHALANTS (33 PERCENT). COMPARISON OF BEHAVIORAL INDICATORS DURING TWO MONTH PERIODS BEFORE AND DURING PREVENTION PROGRAM PARTICIPATION REVEAL:

FEWER PROBLEMS WITH POLICE (+41% CHANGE)
DECREASED MARIJUANA USE (+15%)
IMPROVEMENT OF SCHOOL GARDES (+12%)
FEWER SCHOOL CONDUCT PROBLEMS (+10%)

IN ADDITION TO COMPREHENSIVE PREVENTION SERVICE PROVIDERS, OTHER CONTRACTORS ARE FUNDED TO IMPLEMENT NARROWER-FOCUS PREVENTION STRATEGIES SUCH AS CRISIS AND PEER COUNSELING, TRAINING IN JOB SEEKING AND INTERVIEWING, AND FAMILY EDUCATION.

AFTER INADEQUATE GEOGRAPHIC DISTRIBUTION OF SERVICES DUE TO LIMITED RESOURCES, THE MOST SIGNIFICANT GAP IN THE AREA OF

PREVENTION SERVICES IS COORDINATION BETWEEN THE VARIOUS GROUPS INVOLVED IN DRUG ABUSE PREVENTION, I.E. SCHOOLS, CRIMINAL AND JUVENILE JUSTICE SYSTEMS, TREATMENT AND PREVENTION SERVICE PROVIDERS, PARENT GROUPS AND COMMUNITY ORGANIZATIONS. IN TEXAS, AS IN MANY OTHER STATES, THE PREVENTION EFFORTS OF THE STATE DRUG ABUSE AGENCY HAVE BEEN AUGMENTED BY THE PARENTS' MOVEMENT. THE TEXANS' WAR ON DRUGS HAS ORGANIZED GROUPS ACROSS THE STATE AND MOBILIZED THEM TOWARD DRUG ABUSE PREVENTION IN THEIR COMMUITIES AND ON THE STATE LEVEL THROUGH EDUCATION AND LOBBYING FOR LEGISLATIVE CHANGES. PRIVATELY SUPPORTED AND SELF-HELP GROUPS AS WELL AS SCHOOLS AND PROGRAMS SUPPORTED THROUGH OTHER PUBLIC AGENCIES SUCH AS THE STATE ALCOHOL AND MENTAL HEALTH AUTHORITIES ARE ALSO INVOLVED IN PREVENTION EFFORTS. IN LIGHT OF THE CHANGING LEADERSHIP ROLE OF NIDA AND THE STATE DRUG ABUSE AGENCIES, IT IS IMPERATIVE THAT THERE BE STRONG, FORMAL COORDINATION AMONG THESE GROUPS IN ORDER TO MAXIMIZE THE VALUABLE RESOURCES WHICH EACH HAS TO CONTRIBUTE.

HOW DOES THE CURRENT STATE PROGRAM UNDER THE ADMS BLOCK GRANT SYSTEM DIFFER FROM THAT OPERATED UNDER THE CATEGORICAL GRANTS? THE NATURE OF COMMUNITY-BASED SERVICES HAS NOT YET SIGNIFICANTLY CHANGED. THE MAJOR PROBLEMS ENCOUNTERED WITH THE BLOCK GRANTS HAVE NOT BEEN WITH THE FUNDING MECHANISM BUT WITH THE REDUCED FUNDING LEVELS. AS PREVIOUSLY STATED, TREATMENT CAPACITY HAS DROPPED, AND PREVENTION PROGRAMMING HAS INCREASED IN ACCORDANCE WITH BLOCK GRANT REQUIREMENTS. THE STATE PROGRAM FOR DRUG ABUSE SERVICES SUPPORTED BY THE BLOCK GRANT HAS DEVELOPED ALMOST EXCLUSIVELY ACCORDING TO THE GUIDELINES OF THE CATEGORICAL

GRANTS AND ACCORDING TO DESIGNATED USES OF THOSE FUNDS. SCHOOL-BASED PROGRAMS, COORDINATION WITH PRIVATE PROVIDERS, COURT-BASED REFERRALS, ETC. WERE NOT INCLUDED IN THE CATEGORICAL GRANTS; HOWEVER, THESE CONTINUE TO BE IMPORTANT COMPONENTS OF A COMPREHENSIVE SYSTEM OF DRUG ABUSE SERVICES WHICH NEED TO BE ADDRESSED.

AT A TIME WHEN THE BLOCK GRANT MECHANISM SHIFTS ADMINISTRATIVE RESPONSIBILITIES TO THE STATE LEVEL, SUPPORT FOR ADMINISTRATIVE STAFF HAS DIMINISHED DRASTICALLY. A CORE OF QUALITY SERVICES HAS BEEN CAREFULLY DEVELOPED OVER THE PAST DECADE AND ATTENTION BY THE AGENCY SHOULD NOW BE GIVEN TO EXPANDING TOWARD A COMPREHENSIVE SYSTEM OF SERVICES FULLY COORDINATED WITH RELATED EFFORTS. UNFORTUNATELY, SUPPORT FOR STATE PLANNING STAFF HAS SIMILARLY DIMINISHED AND FUNDS ARE UNAVAILABLE FOR DEVELOPMENT OF THESE ADDITIONAL SERVICES.

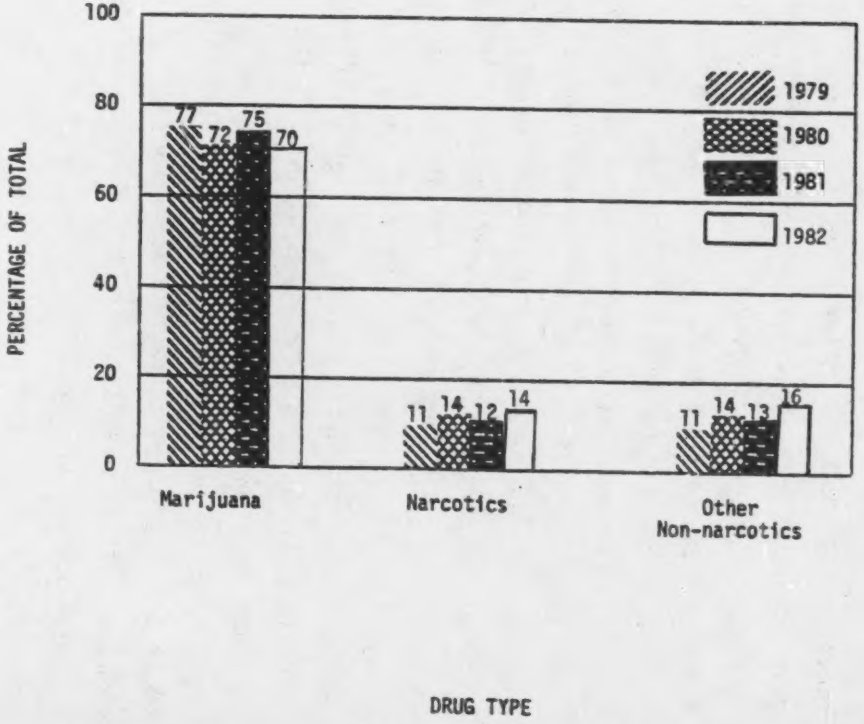
FINALLY, THE NATIONAL TREATMENT DATA SYSTEMS DEVELOPED BY NIDA AND TO WHICH WE CONTRIBUTE ARE NOW OPERATING AT BEST ON A VOLUNTARY BASIS BECAUSE OF LACK OF FUNDING AT THE NATIONAL LEVEL. MAINTENANCE AND ANALYSES OF A NATIONAL DATA BASE ARE ESSENTIAL FOR PROJECTION OF SERVICE NEEDS AND ASSESSMENT OF STATE AND LOCAL EFFORTS WITH THOSE OF OTHER STATES AND NATIONALLY.

ON A MORE PROMISING NOTE, I FEEL THAT HEARINGS LIKE THIS ONE HERE TODAY PROVIDE OPPORTUNITIES FOR MAKING THE PUBLIC MORE AWARE OF AND RESPONSIVE TO DRUG ABUSE PROBLEMS AS WELL AS PROVIDING A FORUM FOR DETERMINING THE BEST MEANS OF INTEGRATING ALL EFFECTIVE AND VIABLE EFFORTS TO REDUCE THE PROBLEMS RESULTING FROM DRUG ABUSE.

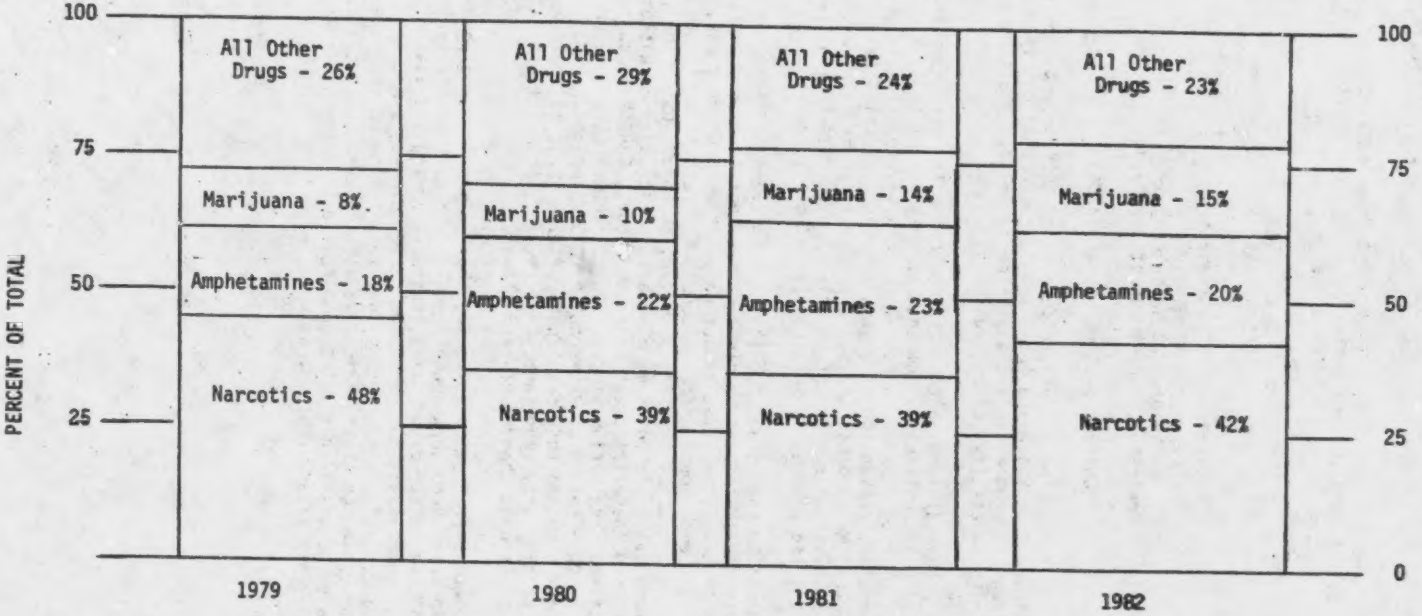
DRUG-RELATED ARRESTS BY TYPE

TEXAS

1979 - 1982



TREATMENT ADMISSIONS
BY SELECTED PRIMARY DRUG TYPES
1979 - 1982



"Drug Trafficking and Abuse on The Texas Gulf Coast"

Hearing of the U.S. House of Representatives
Select Committee on Narcotics Abuse and Control,
Congressman Charles B. Rangel, Chairman

December 12-13, 1983
Corpus Christi, Texas

Statement of Testimony from:
D. Dwayne Simpson, Ph.D.
Behavioral Research Program
Professor, Department of Psychology
Texas A&M University
College Station, Texas 77843

I appreciate the time and effort devoted by this Select Committee to acquire testimony from State and local levels concerning the important problems related to drug abuse and addiction in Texas. I also thank you for this opportunity to testify before you today.

There are several important areas designated for testimony at this hearing, but I will restrict my comments to only two of those areas. In particular, I wish to respond to your interests in the effectiveness of drug abuse treatment and prevention programs, and the gaps which exist in current program efforts. My comments are based primarily on my experiences as a member of an evaluation research team which has studied community-based drug abuse treatment and prevention services for almost 15 years.

With regard to the issue of program effectiveness, the major drug abuse treatment approaches used for heroin and other opiate drug addicts have been demonstrated to have a positive impact on posttreatment drug use, criminal involvement, and employment. For instance, the rate of daily use of heroin or other opiate drugs has been found to drop to about 40% in the first year after treatment (as reported in more detail in the appended National Institute on Drug Abuse Treatment Research Report, DHHS Publication No. ADM 82-1209, entitled "Evaluation of Drug Abuse Treatment Effectiveness: Summary of the DARP Follow-up Research" by D.D. Simpson and S.B. Sells). It is also important to add that the length of time spent in treatment was found to be particularly important; that is, long-term clients had better posttreatment outcomes than short-term clients.

After about 5-to-6 years following their admission to drug abuse treatment, we have found that roughly one-fourth of the addicts in our data system still used opiate drugs daily (that is, during the last year before the follow-up interview), but about two-thirds did not use opiate drugs at all. Preliminary information from a long-term follow-up study we are currently conducting on these addicts is also relevant. It indicates that these drug use and abstinence rates continue to be descriptive of this sample at 12-years after treatment as well.

The effectiveness of treatment services and long-term outcomes for users of nonopiate drugs, on the other hand, have not been studied as thoroughly. The rapid evolution of these services during the last decade and the diversity of drug use patterns involved have complicated this evaluation task. In addition, important descriptive information on treatment services and clients has become difficult to obtain since the initiation of the ADM block grants, and this problem is especially critical at the national level. The major reason is the discontinuation of Federal data collection requirements, such as the Client Oriented Data Acquisition Process (CODAP) and the National Drug and Alcohol Treatment Utilization Survey (NDATUS). Under the ADM block grants, Texas and other States have had to cut back program services, and in spite of the recognized importance and applications of client and program data, there simply has not been enough money to sustain most standardized data collection activities at adequate and appropriate levels. Because of the need for at least some fundamental information on program services, the loss of the systematic data collection systems has been among the most serious consequences of ADM block grants.

In Texas, a notable exception to this general loss of emphasis on data collection efforts has involved a systematic plan of the Drug Abuse Prevention Division in the Texas Department of Community Affairs to assess prevention services in the State. It has provided for the establishment and maintenance of an information system for community-based prevention programs designed to serve high-risk youth in low socioeconomic neighborhoods. This statewide data base (PMES), provides information on overall drug abuse prevention service delivery as well as individual client characteristics, problems, and progress in these programs. It assists the State in monitoring the program services purchased, provides diagnostic and statistical feedback to individual programs for improving the quality of their services, and serves as a basis for conducting research on important drug abuse issues.

One such issue involves the growing problem in Texas with the sniffing of spray paint and other inhalants. This form of drug use is especially prevalent among Mexican-American adolescents, and it represents a common and growing cause for alarm throughout our State because of its serious physiological and psychological consequences. Too little is known about the circumstances surrounding this problem, and unfortunately, ADM block grant funds are continuing to shrink as the need for prevention and treatment services increase. Indeed, the programmatic needs to deal with inhalant use in this atmosphere of limited resources leads to one of the major gaps in our current program efforts in Texas.

With regard to the human service demands in our State, it should be noted that Texas and some of the other "sunbelt" States were slower than other parts of our Nation in developing problems of economic recession in recent years. Consequently, this State experienced a tremendous influx of new residents searching for work. Economic indicators also suggest that Texas is also lagging behind Nationally in its sluggish recovery from this recessionary period. The added population infusion (particularly in the lower socioeconomic ranges) has combined with prevailing economic stresses to stretch already taut drug abuse and other human service delivery systems. Thus, Texas is at a crossroads. Recent cocaine busts along our Gulf Coast testify to the trafficking conducted to meet demands by an affluent clientele for glamour drugs. Parent movements, often from middle-class suburbia, focus on legitimate concerns about widespread marijuana use by their children. Lower socioeconomic neighborhoods try to deal with the use of inexpensive inhalants by their adolescents, as well as the use of other drugs. This diverse and complicated picture of service needs is then overlaid by the ever present political pressures to respond to powerful special interest groups. Meanwhile, our existing community-based drug abuse service programs continue to have their operating funds reduced or withdrawn altogether.

In conclusion, difficult and painful choices have emerged in Texas and other States for the allocation of resources for drug abuse services. More importantly, these choices will require the neglect of certain problem areas to the extent that funding levels are not increased to meet the needs. Hopefully, this process will not overlook the important use of management information and service delivery evaluation systems to help improve and guide these difficult policy-making decisions.

Testimony presented by
Raymon L. Bynum
Commissioner of Education
Texas Education Agency

THE STATUS OF DRUG ABUSE PREVENTION IN TEXAS SCHOOLS

REPRESENTATIVE RANGEL, MEMBERS OF THE COMMITTEE:

THANK YOU FOR INVITING ME TO APPEAR BEFORE THIS COMMITTEE TO DISCUSS THE IMPACT OF ILLEGAL DRUG TRAFFICKING ON TEXAS, PARTICULARLY ON THE STUDENTS OF OUR STATE.

WITH WIDESPREAD USE OF DRUGS AFFECTING LARGE SEGMENTS OF SOCIETY, IT WOULD BE UNREALISTIC TO THINK THAT THE SCHOOLS ARE IMMUNE TO THE PROBLEMS OF DRUG ABUSE. WHAT IS THE EXTENT OF THE PROBLEM? HERE ARE SOME NATIONAL DATA COLLECTED BY THE UNIVERSITY OF MICHIGAN FROM HIGH SCHOOL SENIORS. A SAMPLE OF TEXAS DISTRICTS WAS INVOLVED IN THE SURVEY. BETWEEN 1975 AND 1978, DAILY MARIHUANA USE CLIMBED RAPIDLY FROM 6 PERCENT TO 11 PERCENT OF ALL SENIORS. THE NUMBER OF SENIORS HAVING TRIED THE DRUG HAS NOT CHANGED SIGNIFICANTLY; IN 1979 IT WAS 60 PERCENT, AND IN 1982 IT WAS 59 PERCENT. THE GOOD NEWS IS THAT DAILY MARIHUANA USE HAS DECLINED SINCE 1979 AND IN 1982 WAS 7 PERCENT OF ALL SENIORS. THE TREND IS THE SAME FOR COCAINE. THE PROPORTION OF HIGH SCHOOL SENIORS REPORTING ANY USE IN THE PRIOR YEAR INCREASED DRAMATICALLY FROM 1975 TO 1979, AND THEN LEVELED OFF BETWEEN 1979 AND 1981. IN 1982, THE ANNUAL PREVALENCE HAD FALLEN TO 11.5 PERCENT.

DESPITE ENCOURAGING TRENDS IN STUDENT DRUG ABUSE, NATIONAL DATA SHOW THAT THE NATION STILL HAS THE HIGHEST LEVELS OF ILLICIT DRUG USE OF ANY NATION IN THE INDUSTRIALIZED WORLD. OTHER NATIONAL AND STATE RESEARCH REPORTS HAVE SHOWN THAT DRUG ABUSE HAS ENORMOUS DELETERIOUS EFFECTS ON THE LEARNING PROCESS AND CONTRIBUTES TO SCHOOL DROP OUT, TRUANCY, AND JUVENILE CRIMINAL ACTS.

THERE HAVE NOT BEEN ANY SURVEYS TO DETERMINE THE INCIDENCE OF DRUG USE AMONG TEXAS STUDENTS SPECIFICALLY. THERE ARE REPORTS FROM SCHOOL DISTRICTS INDICATING THAT SUSPENSIONS HAVE INCREASED FOR DRUG-RELATED OFFENSES THIS SCHOOL YEAR. ALSO, THERE IS GREAT CONCERN THAT STUDENTS ARE BEGINNING TO EXPERIMENT

WITH DRUGS AT A MUCH YOUNGER AGE THAN IN PREVIOUS YEARS. IT IS NOT UNCOMMON TO FIND 9- AND 10-YEAR-OLD STUDENTS EXPERIMENTING WITH DRUGS.

DRUG ABUSE PREVENTION EFFORTS IN TEXAS

WHAT IS THE RESPONSE OF THE TEXAS EDUCATION AGENCY AND THE SCHOOLS TO THIS PROBLEM? THE FOCUS HAS BEEN (1) PREVENTION, (2) INTERVENTION, AND (3) SECURITY. THE OBJECTIVE OF PREVENTION IS TO EDUCATE THE STUDENT PRIOR TO SIGNS AND SYMPTOMS OF DRUG ABUSE PROBLEMS. THE OBJECTIVE OF INTERVENTION IS TO IDENTIFY STUDENTS WHO ALREADY ARE EXHIBITING SYMPTOMS OR DEVELOPING PROBLEMS IN ORDER TO MODIFY THEIR BEHAVIOR OR, IF NECESSARY, TO REFER THEM TO TREATMENT. THE AIM OF SECURITY IS TO DEVELOP A SYSTEM THAT ENSURES A SAFE ENVIRONMENT FOR STUDENTS AND FACULTY, ONE THAT IS RELATIVELY FREE OF DRUGS AND CRIME.

THE GOVERNANCE OF SCHOOL DISTRICTS IS THE RESPONSIBILITY OF AN ELECTED BOARD OF TRUSTEES WHICH MAKES LOCAL POLICY WITHIN THE FRAMEWORK OF STATE LAW AND STATE BOARD OF EDUCATION RULES AND REGULATIONS. STATEWIDE CURRICULUM REVISION IS UNDERWAY IN TEXAS, AND NEW STATE BOARD OF EDUCATION RULES GOVERNING INSTRUCTIONAL PROGRAMS CURRENTLY ARE BEING DISCUSSED AND WILL BE FORMALLY ADOPTED IN MARCH 1984. THE RULES UNDER CONSIDERATION CALL FOR INSTRUCTION IN HEALTH EDUCATION THAT IS SPECIFICALLY RELATED TO DRUG ABUSE AND INSTRUCTION IN SOCIAL STUDIES THAT IS GENERALLY RELATED TO DRUG ABUSE.

SPECIFIC INFORMATION ABOUT THE NEGATIVE EFFECTS OF DRUGS AND THE FACTORS THAT CONTRIBUTE TO DRUG ABUSE BEGINS AT GRADE 4. STUDENTS LEARN THAT DRUGS IMPAIR PHYSICAL, MENTAL, AND SOCIAL DEVELOPMENT AND THAT PERSONS WHO USE DRUGS DEPEND ON DRUGS RATHER THAN THEIR OWN ABILITIES. THEY LEARN TO BE PREPARED IN THE

LIKELY EVENT THAT THEY WILL HAVE TO CHOOSE BETWEEN USING OR REFUSING DRUGS. STUDENTS LEARN THAT REFUSING DRUGS MIGHT REQUIRE DIFFICULT CHOICES AND ASSERTIVE ACTION AND THAT THE DECISION NOT TO USE DRUGS MIGHT BE CHALLENGED BY THEIR PEERS, BUT THAT THEY CAN MEET THOSE CHALLENGES. THEY LEARN THE RELATIONSHIP BETWEEN DRUGS AND CRIME. THEY LEARN THAT CITIZENS ARE PROTECTED BY LAWS AND HAVE RESPONSIBILITY FOR SUPPORTING VALID LAW ENFORCEMENT EFFORTS. THEY LEARN THAT THEY WILL HAVE RESPONSIBILITY AS ADULTS FOR IMPROVING LAWS. ABOVE ALL, THEY LEARN THAT THERE ARE A MULTITUDE OF PRODUCTIVE, SATISFYING ALTERNATIVES TO USING DRUGS.

MANY SCHOOL DISTRICTS ALREADY HAVE ESTABLISHED INSTRUCTIONAL PROGRAMS THAT EXCEED STATE REQUIREMENTS. SCHOOL DISTRICT PERSONNEL ALWAYS ARE ENCOURAGED TO PLAN PROGRAMS THAT ADDRESS LOCAL NEEDS.

RECOGNIZING THAT DRUG ABUSE IS NOT JUST A SCHOOL PROBLEM, THE TEXAS EDUCATION AGENCY HAS COORDINATED WITH OTHER AGENCIES TO PROVIDE ASSISTANCE TO LOCAL SCHOOL DISTRICTS. THEY INCLUDE:

- TEXAS COMMISSION ON ALCOHOLISM
- TEXAS DEPARTMENT OF COMMUNITY AFFAIRS
- TEXANS' WAR ON DRUGS
- TEXAS CONGRESS OF PARENTS AND TEACHERS

HERE ARE FOUR EXAMPLES OF COORDINATION:

- TO DATE, 63 SCHOOL DISTRICTS HAVE RECEIVED FUNDS TO PURCHASE CURRICULA THAT INCLUDE DRUG ABUSE PREVENTION COMPONENTS.
- A STATEWIDE PREVENTION CONFERENCE SPONSORED BY ANOTHER STATE AGENCY DREW REPRESENTATIVES OF 90 SCHOOL DISTRICTS AS A DIRECT RESULT OF RECRUITMENT DONE BY THE TEXAS EDUCATION AGENCY.

School PTA's, in cooperation with the Texans' War on Drugs, have been the moving force behind 200 parent groups formed in the state to fight drug abuse in their communities. The Texas Education Agency cooperated with The Chemical People Project by encouraging superintendents to make school facilities available for the airing of The Chemical People and the discussions that followed.

Intervention Strategies:

The State Board of Education through its rules for the accreditation of school districts requires all districts to have policies describing student responsibilities, rights, and conditions leading to suspension or other disciplinary actions and procedural safeguards as required by law (Principle 3, Standard D). Therefore, each district has developed its own policies and procedures for dealing with drug possession or sale. Suspension is part of local policy. It may be immediate upon the first incident or it may be a last resort. Suspension is used when the local board of education determines that it is no longer productive to allow the student to remain in school with an unresolved drug problem.

Because it is in the best interests of everyone in the state for these students to continue their education, many districts are operating alternate education programs for students who would otherwise be suspended or expelled. One of the objectives of these programs is to identify and assist students who are dysfunctional because of their drug abuse. Many students have to be referred to public or private facilities for treatment.

Alternative education programs are supported through a variety of sources such as local district, state, and criminal justice funds. For example, the Texas Education Agency through the school-community guidance center program, currently funds 16 projects. The Governor's Office of Criminal Justice funds a similar number of projects. Other districts are being encouraged to adopt one of these alternative education models or to develop their own programs for identifying and referring students to community agencies for assistance with drug problems.

School Security

An increasing proportion of a school district's budget is now going for school security measures such as guards, alarm systems, building security, and dog sniffer programs. For example, Houston Independent School District spends $1.6 million annually for building security alone and employs 75 persons. Dallas Independent School District spends $1 1/2 million annually on its security system and employs 78 persons.

Recently, a Circuit Court ruled that the use of dogs to sniff students for drugs constituted a search and that school districts needed to have reasonable cause before undertaking this action. The outcome of this decision is that districts are now confining their use of dogs to lockers and unattended automobiles.

Schools can make a significant contribution to preventing drug abuse and to helping students who have problems with drugs overcome them and continue their education. However, a concerted effort by families and governmental agencies, including schools, is necessary if we are going to stop drug abuse. We will continue our efforts. We hope the federal government will support our efforts by:

Assertively limiting the availability of drugs

- PROVIDING ACCURATE, TIMELY, AND IMPARTIAL INFORMATION THROUGH ITS CLEARINGHOUSE ROLE
- SUPPORTING RESEARCH IN ALL ASPECTS OF DRUG ABUSE AND MAKING FINDINGS AVAILABLE
- EXAMINING POSSIBLE METHODS OF PROVIDING MORE AFFORDABLE PUBLIC AND PRIVATE ADOLESCENT TREATMENT PROGRAMS FOR DRUG ABUSE

FURTHER RECOMMENDATIONS ADDRESS THE ROLES OF OTHER GROUPS:

- SCHOOL DISTRICTS SHOULD BE ENCOURAGED TO HAVE PREVENTION AND INTERVENTION PROGRAMS FOR YOUTH AT RISK OF DEVELOPING SERIOUS DRUG PROBLEMS.
- POST-SECONDARY INSTITUTIONS THAT PREPARE EDUCATORS SHOULD INCLUDE IN THEIR COURSE OF STUDY THE TOPICS OF DRUG INFORMATION, METHODS OF IDENTIFYING AND REFERRING STUDENTS WHO EXHIBIT SIGNS OF DRUG MISUSE OR ABUSE, DRUG ABUSE PREVENTION CURRICULA, AND CLASSROOM MANAGEMENT TECHNIQUES.
- STUDENTS AND PARENTS SHOULD BE TRAINED TO ORGANIZE THEIR COMMUNITIES TO COMBAT DRUG ABUSE. THE SCHOOLS CANNOT BE EFFECTIVE WITHOUT THEM. THE FEDERAL GOVERNMENT, IN COOPERATION WITH STATES AND LOCALITIES, SHOULD FOSTER THE FORMATION OF PEER ASSISTANCE PROGRAMS, PARENT SUPPORT GROUPS, AND COMMUNITY ACTION COMMITTEES.
- STUDENTS SHOULD BE GIVEN AN OPPORTUNITY TO IDENTIFY SECURITY AND DRUG ABUSE PROBLEMS AND TO DEVELOP SOLUTIONS.

AS COMMISSIONER OF EDUCATION, I APPRECIATE THE OPPORTUNITY TO EXPRESS MY VIEWS AND CONCERNS ABOUT ILLEGAL DRUG TRAFFIC AND ITS EFFECTS ON THE STUDENTS IN OUR STATE. WE AT THE TEXAS EDUCATION AGENCY AND IN THE PUBLIC SCHOOLS OF TEXAS STAND READY TO COOPERATE IN STATE AND NATIONAL EFFORTS TO CONQUER THE PROBLEMS OF DRUG ABUSE IN THIS NATION.

TESTIMONY FROM

MONSIGNOR DERMOT N. BROSNAN

Mr. Chairman, I would like to thank you and your committee for giving me the opportunity to testify here today.

My name is Monsignor Dermot N. Brosnan, 222 E. Mitchell Street, San Antonio, Texas. I am the founder and Executive Director of The Patrician Movement, a private non-profit corporation providing treatment and rehabilitation to substance abusers for the past twenty-four years in San Antonio. At present we have 140 clients in our residential center and 500 in outpatient clinics all in a drug free program. In addition, I am Vice-Chairman of the Texas Adult Probation Commission in Austin, Texas.

I estimate we have in Texas 50,000 abusers of heroin, dilaudid, demerol, morphine, methadone; 250,000 abusers of amphetamines, barbiturates, methamphetamine, cocaine, toxicant inhalants, LSD, PCP, and 1,500,000 abusing marijuana. Yet we have about 8,000 people in the State getting treatment. In fact the States does not provide any money from general revenue for prevention, education or treatment of the substance abusers. The Federal dollars coming into Texas in the Block Grant are being matched by local or private monies in cash or in soft match. In October of 1982 the Texas Department of Community Affairs, the single state agency for Drug Abuse, requested the Texas Legislature Budget Board, for full funding of the R.B. McAllister Drug Treatment Program Act in the amount of $13,000,000. At first the Budget Board cut out the entire request. However,in November of 1982 we were able to get 10,000,000 dollars put back in the budget request for the 68th Legislature to consider in the spring session of 1983.

After much debate in Urban Affairs and the appropriations committees only 600,000 dollars was appropriated for the biennium.

As a result of the State failure to provide proper funding some programs have closed down and many programs have had cuts up to 23% cash and an increase of their local match. In addition the prison system in Texas is in serious trouble. The present population is about 36,000 prisoners with a budget of over 700,000,000 dollars for the biennium. Also the system is under Federal Court order to meet certain standards due to the poor conditions. Also we have 208,000 people under adult probation and 23,000 people on State Parole in our state. A good 40% of these people in our criminal justice system are drug related and in need of special services. Yet the State has not provided the funding at a time when the Federal block grant is being reduced.

I see yet another problem that we need to address as drug abuse continues to increase in the middle upper class of our society. As this problem affects these families many times the reaction is one of pain. The Family, because they have money, rush out to seek the best help possible. This can be a very costly experience with little in return. e.g. 10,000 dollars for 20 days treatment; 1,800 dollars for a mere assessment of the problem or 50,000 dollars for three or four months in the hospital. As we protect the poor and the minority so also do we have a duty to protect the middle and upper levels of our society. Insurance companies should be required to provide proper coverage at reasonable cost and all programs should be required to meet certain state standards.

In the area of juveniles many problems exist. There is a complete lack of program services expecially in Texas in relationship to the toxicant inhalants. Much more funding in this area must be made available. Also the need for more education and intervention is necessary. Our school systems must be examined in relationship to the needs of children in todays complex society. The standards of education must be consistant in our State and Nation and not have quality Education still conditioned on only wealth or value of property. We must continue to believe in the uniqueness and dignity of each individual person, the continuing importance of the family as the basic unit of society, and of education as the basic medium for human growth and development. The Family has to contribute to the public good and to be guided by the Laws passed to obtain that good. The Family is the nation's strength or weakness. The school, Law Enforcement, judicial system, Legislative and executive branches of government are all extensions of the Home or Family.

It is my belief that an industry, drug abuse, of 90 billion dollars in the United States can only find solutions through a concerted effort by the public and private sectors. Law enforcement, the judiciary, parole and probation, education, treatment and prevention programs, private and public, must all network and interface with each other. Legalization of these drugs of abuse to elimate the profit motive will not work. The involvement of International terrorist in the drug scene make the drug scene that much more complex. The time is here for a "National Manifesto", to be drawn up by both political parties, concerning drug and alcohol abuse, crime and deliquency. This Manifesto should be fully supported by every level of Government, Educational and Church institutions motivating Families and individual citizens to fight a common enemy. Proper funding at the Federal and State level should be provided to carry out the Manifesto in full. Yet with the continued decrease in the Federal Block grant system, much damage is being done in the area of services. At the present time I would say that Texas is now facing a serious crisis in Education, prevention and treatment services. State standards must be established and published so that the public can be protected. In Texas the R.B. McAllister Bill gives this authority to the single state agency, the Texas Department of Community Affairs, but funding is not available to the agency.

I would like to thank the Chairman and his committee for this opportunity. If I can be of further assistance to you please call on me. I would also like to thank you for the great work you are doing for our citizens and nation.

TEXAS DEPARTMENT OF PUBLIC SAFETY
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December 30, 1983

Honorable Charles B. Rangel
U.S. House of Representatives
Chairman, Select Committee on Narcotics
Abuse and Control
Room H2-234, House Office Bldg. Annex 2
Washington, D.C. 20515

Dear Representative Rangel:

During my testimony before your committee on December 13, 1983 in Corpus Christi, Texas, I indicated to you that I would make available some recommendations from the State Drug Enforcement Alliance which were later incorporated by the National Governors' Association. Enclosed is a copy of the paper dealing with strategies for drug control efforts.

In addition, I am enclosing my response to questions raised in your letter dated June 27, 1983.

It was a pleasure to see you again and I certainly want to commend you and your committee on the interest shown in the most serious criminal law enforcement problem facing this country today.

Sincerely,

Jim Adams

James B. Adams
Director

Enclosures

QUESTION:

1. (a) What do you feel should be the Federal role in drug law enforcement?

   (b) From that perspective, what do you see as the principal problem and issue areas that have hindered, or now hinder, effective drug law enforcement and prosecution?

ANSWER:

1. (a) The federal role in drug law enforcement, of necessity, must be the lead role. This is occasioned by the fact that retail sales of illegal drugs nationwide are estimated to be between 79 and 90 billion dollars a year. In comparison, retail sales in legitimate drug prescriptions run approximately 10 billion dollars a year; beer, wine and liquor retail sales are 16 billion dollars a year; and tobacco retail sales are 23 billion dollars a year. Obviously, the magnitude of the problem clearly establishes drug abuse and trafficking in illegal drugs as a national problem warranting the highest priority.

   Coupled with this, only the federal government has the requisite jurisdiction to deal with the first and second lines of defense, i.e., the eradication of drugs abroad in source countries; and failing that, the subsequent interdiction enroute to or at our borders. These activities fall squarely within the jurisdiction of the federal Drug Enforcement Administration and State Department and the U.S. Customs Service.

   The effectiveness or lack of effectiveness of the named federal agencies in preventing illegal drugs from entering the United States impacts on state and local law enforcement agencies as well as a host of federal agencies who have concurrent jurisdiction in enforcing drug and narcotics laws and related statutes. DEA, Customs, FBI, and IRS, in particular, have substantial responsibilities in this area.

   (b) A major problem which currently exists is the inability of the criminal justice system to handle all of the violators who are currently detected. A shortage of prosecutors, court docket space, judges and, ultimately, penitentiaries dictates that many individuals currently detected violating federal narcotics laws are not prosecuted or handled in any meaningful manner by the criminal justice system. Time and time again, a major drug trafficking investigation is culminated with only a few principals prosecuted; often leaving others free of any sanction whatsoever. A major organization cannot be destroyed by prosecuting only the principals leaving the second and third strata available to move up and continue operations. I do not mean to infer that we do not need more investigative personnel but I am pointing out that more investigative personnel without providing for the results of their efforts to be fully addressed by other components of the criminal justice system is counterproductive.

It should be obvious that when drug seizures are made at our borders and the violators are released with no charges we are providing a sanctuary for those smuggling so-called "small" amounts even though those "small" amounts may be as much as 10 or 15 pounds of marijuana.

QUESTION:

2. In your opinion, what is the most appropriate role for State and local governments, respectively, in combatting the trafficking and use of illicit drugs?

ANSWER:

2. Each state, as Texas does, should have a narcotics service with statewide jurisdiction to impact on the identification, investigation and immobilization of trafficking organizations. In states with foreign borders and/or coastline such as Texas has, the affort should include investigative activities directed at major land, sea and air smuggling attempts. Since by its own estimates the federal government is able to interdict only 10% of the drug traffic directed at the United States, state agencies must make a heavy commitment to the investigation of organizations within the state which are engaged in smuggling operations as well as distribution within the state. The state agency must also concentrate on cases involving domestic cultivation, clandestine laboratories and drug diversion since these cases by their very nature and magnitude invariably involve many jurisdictions within the state and a statewide investigative capability is necessary to cope with them.

The local jurisdictions not only play an important role in major trafficking investigations centered in their jurisdiction but also have an important responsibility for keeping the pressure on small street dealers and users in order that all segments of the trafficking problem are addressed. Inherent in the role of state and local agencies is the absolute need to have a cooperative relationship with the federal agencies as it is not possible to separate out a particular role for any one agency. The drug trafficking problem is so immense that no entity or group of entities can do the job alone.

QUESTION:

3. In your opinion, what do State and local governments need most from the Federal government in combatting the trafficking and use of illicit drugs (a) in terms of financial resources, and (b) other than funding?

ANSWER:

3. (a) The greatest need on the part of state and local governments in terms of financial resources is for the federal government to adequately fund the federal investigative agencies at a level which would ensure effectiveness in the primary areas

of overseas eradication and border interdiction as well as the necessary funding to ensure proper disposition of the cases involving those arrested or who could be arrested. Additional equipment particularly in the area of radar capability and aircraft are obviously needed if any substantial improvement can be expected in the area of air smuggling.

(b) In addition to enhanced funding of the federal agencies involved, there needs to be a higher degree of commitment on the part of the federal government to prosecute the full range of narcotics violators falling within the purview of federal statutes rather than facing its responsibility only where major violators are concerned. In addition, although the level of cooperation among federal, state and local agencies in Texas is high, the need for such must be constantly stressed and improved upon particularly in the areas of sharing intelligence information.

QUESTION:

4. What organizational and/or program-policy changes, if any, would you recommend for consideration? (a) Federal, (b) State and local.

ANSWER:

4. (a) Granted that all of the federal agencies have more work within their respective jurisdictions than resources to perform such work, consideration should be given to the ability of other federal agencies to play a more participatory role in combatting the drug trafficking problem. In particular, consideration should be given to the role of the INS Border patrolman who is well trained, highly motivated and in a good position, particularly along the Texas-Mexican border, to make substantial contributions to the interdiction effort.

(b),(c) No comment.

QUESTION:

5. Please submit your candid opinion of changes, if any, in the drug abuse situation in your jurisdiction over the past five years. Consider: (a) increases, decreases and changing patterns of abuse of specific substances, (b) effectiveness of present policies and methods, and (c) consequences of changes in Federal funding strategies.

ANSWER:

5. This question falls more appropriately within the purview of the Texas Department of Community Affairs and the Drug Abuse Research & Education (DARE) organization.

QUESTION:

6. (a) Please submit your candid opinion of the consequences of the

realignment of DEA and the FBI which gives the latter concurrent jurisdiction in drug law enforcement. Please respond in terms of both immediate and long term perspective.

(b) Does your organization now, or did it formerly, engage in cooperative efforts with either the DEA or FBI? Please describe any changes in cooperative efforts that may have resulted from the DEA-FBI realighment.

ANSWER:

6. (a) The realignment of DEA and the FBI has had a positive impact on the federal efforts. By maintaining DEA as an independent agency it has ensured there will be no dimunition of effort and that the federal drug enforcement effort not be submerged among the many diverse responsibilities of the FBI. The granting of jurisdiction to the FBI allows that agency to bring its tremendous resources and experience to bear, particulatly in the area of electronic surveillance and financial investigations which are absolutely essential to penetrate major organized crime conspiracies whether they be of the traditional la cosa nostra type or the type of organized crime that we are increasingly encountering in the drug trafficking field. The substantial increase in the number of joint investigations worked by those two agencies and the positive accomplishments already produced vividly demonstrate the wisdom of the realignment which has taken place.

(b) The Texas Department of Public Safety has had a long-standing ongoing cooperative relationship with both DEA and the FBI. More significant joint investigations have been conducted with DEA in recent years because of the concurrent jurisdiction we both have in the areas of drug enforcement. Previously, the FBI's priorities were such that our long term involvement in joint operations was primarily in areas of major property thefts; however, with the advent of the investigative task forces involving the FBI and DEA and state and local agencies, we are beginning to engage in more joint operations.

Strategies for Drug Control Efforts

In July 1982, at the Annual Meeting of the Southern Governors' Association in Hilton Head, South Carolina, the southern governors agreed that international drug trafficking has become an issue of major regional concern. Governor Lamar Alexander of Tennessee and Governor Bob Graham of Florida invited governors and state law enforcement officials to a special meeting in Nashville, Tennessee to discuss strategies for handling drug trafficking problems. The results of that meeting, held in September 1982, were eight policy recommendations for states to enhance drug control efforts. These recommendations subsequently received unanimous concurrence from all participating states.

On October 14, 1982, President Reagan announced his national initiatives to combat drug smuggling and organized crime. These initiatives are consistent with the recommendations developed by the governors in Nashville.

An ad hoc staff group of the National Governors' Association (NGA) met in Washington, D.C. on November 18, 1982, to define the role of the *Governors' Project* included in the President's initiatives. The group also agreed to work with staff of Governor Bob Graham of Florida to prepare an implementation strategy for the eight policy recommendations approved by the southern states. On January 13, 1983, Commissioner Robert Dempsey of the Florida Department of Law Enforcement presented an implementation strategy to the ad hoc committee for their review and comment. The southern governors wish to express their appreciation to the members of this committee for their willingness to work on this endeavor.

Upon adoption of the implementation strategy by the NGA, a steering committee should be appointed immediately to oversee and ensure implementation. This steering committee should submit an annual report to the NGA on progress related to these initiatives.

Both the President's and the governors' recommendations indicate that it is imperative that implementation of drug strategies be closely coordinated among the states and at the federal level.

Executive Summary

The following is a plan for implementing recommendations for drug control that was drafted by an ad hoc group from the NGA in January 1983. The following eight items were identified as needed for better drug control in the United States:

1 **Increased educational efforts**, including the establishment of blue ribbon commissions in each state and a federally-sponsored national education program:

2 **Intensified eradication and interdiction, i.e., military/naval assistance to state and local governments**, focusing on the destruction of drugs at their source, foreign or domestic, and on an increased military commitment to the interdiction of drugs being imported by air or sea:

3 **National reaction**, encouraging the continuation of the Bush Task Force and the twelve regional task forces;

4 **Centralized information and intelligence data base**, combining and coordinating data from local, state, multi-state and federal sources;

5 **Concerted street enforcement activity**, urging stronger support for local law enforcement agencies' drug control personnel and equipment;

6 **Standard legislation**, to be developed in each state and through a national committee formed for this purpose:

7 **Greater prosecutorial commitment**, with the same priority given to drug cases as to other priority areas: and

8 **Coordination of efforts of local agencies**, enabling agencies to pool information and resources for maximum effort.

Each recommendation is accompanied by specific suggestions about actions governors might take or support. There is also a comment on the fiscal impact of each recommendation and ways in which this might be minimized.

A list of presidential initiatives that were not among those developed by the NGA, but which nevertheless deserve gubernatorial support, is included at the end of this document.

The Governors' Issues

1 Need for Increased Educational Efforts

The problem of drug abuse in our society is related to so many factors that it cannot be successfully addressed by any single discipline. A consistent exchange of information and ideas among the various disciplines that can affect consumer demand does not exist. The ultimate long-term success of drug control efforts is not possible without a marriage of these disciplines, supported by an educated and involved public.

Recommendation

Each state should consider the establishment of a Blue Ribbon Statewide Drug Education Commission involving leaders from the public and private sectors. This Commission should consist of high-level representatives from a cross section of disciplines including law enforcement, prosecution, judicial, educational, medical, legislative and citizen/parent/young people groups.

Implementation Strategy

- Each governor should consider appointing representatives from a cross section of the public and private sectors to a Statewide Drug Education Commission. It is imperative that the membership comprising this Commission be committed to and aggressive toward accomplishing the goals established by this recommendation. The Commission should direct efforts toward:
  - *Private Industry:* Providing crime-specific information, identifying industry prevention programs and funding sources, and integrating mutual industry/citizen/enforcement activities.
  - *Public Awareness and Concern:* Coordinate and organize citizens' groups and programs; develop citizens' prevention program models; develop media campaigns' "technology transfers"; and integration with civic and church groups, industry, education and enforcement. The Commission should consider the "Texas War on Drugs" program, which has established itself as a model in this area.
  - *Public School Education:* Assist the Department of Education in developing and presenting more relevant, positive and proactive curricula in law-related education.
  - *Law Enforcement, Community Organizations and Neighborhood Coordination:* Provide training to law enforcement personnel in order to promote more effective integration of enforcement agencies with community educational activities. Existing crime prevention and other local networks should be recognized and used.
- Governors should urge that a national effort, adequately staffed, be undertaken to develop program models and information services for the individual states.
- Governors should urge that the federal government develop and implement a national education program. In this regard, the President has recommended that emphasis be placed on training of state and local law enforcement personnel. Governors should be encouraged to support this initiative.

Fiscal Impact

The fiscal impact of educational efforts can be minimized by turning to the private sector for executive resources, fund raising activities and creative talent. Membership on the Blue Ribbon Commissions would be voluntary. States could also save resoures by promoting drug education through existing citizen networks, such as those addressing crime prevention.

2 Need for Intensified Eradication and Interdiction: Military/Naval Assistance to State and Local Governments

The federal government has exclusive responsibility for coordinating interdiction of drug shipments from foreign countries and assisting those countries in the eradication of drugs at the source. As a result of intensive lobbying, three significant developments have occurred over the past year that have had a positive impact on eradication and interdiction efforts: (1) relaxation of the *Posse Comitatus* doctrine, allowing the military to provide assistance to civilian law enforcement agencies; (2) the removal of the Percy Amendment to the Foreign Assistance Act, which prohibited foreign governments from receiving assistance from the U.S. government if herbicides were used to control illicit drugs; and (3) the recent efforts made by the national administration to support eradication efforts in foreign countries.

Recommendation

The federal government should adopt, as its top drug control priority, the eradication of illicit drugs in source countries and the interdiction of drugs leaving those countries.

The United States should continue encouraging foreign governments to employ eradication methods, including herbicidal applications, and should continue to absorb or contribute to the costs of some of the more critical programs in significant source countries. In addition, the military forces of the United States should be called upon to make a *major* commitment to increase their level of support in the interdiction effort.

Implementation Strategy

- Governors should consider adopting a resolution to Congress and the President to urge the federal government:
    - to keep as one of its top drug control priority programs the eradication of drugs at source countries and to continue to provide adequate funding in subsequent years.
    - to develop improved eradication techniques.
    - to continue to contribute to the cost of these control efforts.
    - to continue to encourage other countries to utilize eradication methods.
- Keeping in mind the tremendous increase of domestically grown marijuana and clandestine manufacture of dangerous drugs, governors should support eradication efforts and the development and application of innovative measures within their states to combat these activities.
- Governors should urge the national administration to expand the role of the military forces of the United States in air and sea interdiction efforts. This increased role should include all regions of the country.
- Governors should encourage their state and local law enforcement agencies to work closely with and seek assistance from the military forces of the United States and develop plans with military forces to coordinate efforts against drug trafficking.
- Governors should encourage their respective congressional delegations to provide sufficient funding to the military to offset the costs involved in participating in civilian drug control efforts.
- The governors should consider having the National Guard and all other appropriate resources work with state and local law enforcement agencies in drug interdiction and eradication programs.

Fiscal Impact
States implementing eradication efforts will experience costs. Cooperation with federal eradication efforts is encouraged to minimize those expenditures. Costs may also be associated with National Guard activities aimed at assisting state drug law enforcement. These costs can be minimized, or possibly eliminated, by conducting National Guard drug enforcement activities in conjunction with regular Guard training exercises.

3 Need for A National Reaction

Over the past decade, numerous states have been hurt by the growing drug problem. These states have taken independent steps to combat the problem; however, their resource limitations and geographic restrictions have hindered the states' effectiveness. The federal government, realizing the national ramifications of the drug problem, has conducted several significant operations that have lessened these restrictions and limitations, such as the recent Bush Task Force in South Florida and the creation of twelve regional task forces.

Recommendation
The federal government should be encouraged to maintain on a permanent basis the federal resources associated with the original Bush Task Force and twelve new task forces.

Implementation Strategy

- Each governor should urge his/her respective congressional delegation to maintain and continue support of the original Bush Task Force and the twelve new regional drug task forces.
- The governors should urge that top White House and Justice officials meet twice yearly with selected governors from the NGA to discuss policy issues of mutual interest related to drug trafficking.
- Governors should support the Presidential Commission on Organized Crime, which will be in operation for three years. Membership of this commission should include a representative of the NGA.
- Governors should request the Department of Justice to include state representatives having policy-making or operational responsibilities in drug enforcement on the internal group responsible for administering the regional task forces. Further, that these representatives have appropriate decision-making status in the group within parameters of state-related responsibilities. Further, that each governor should appoint a state drug enforcement coordinator to meet with the lead administrator of the respective task force on a specific periodic basis.
- The governors should communicate with their respective state and local law enforcement officials to actively support the President's initiative.
- Governors should consider actively soliciting public support of these initiatives through speeches, media and other public information resources.
- Governors should, through their respective legislatures, ensure that adequate resources are available for states to coordinate effectively with and complement the federal task force efforts.

Fiscal Impact
Each state must analyze its investments to ensure that it is taking a balanced approach to drug law enforcement. A state's investment priorities should reflect the seriousness of the drug problem in that state.

4 Need for A Centralized Information and Intelligence Data Base

Law enforcement agencies involved in drug control have historically been hampered by lack of accessible and assessable intelligence information relating to illegal trafficking. A centralized system to receive, analyze and disseminate information among state and local law enforcement agencies must exist if proactive, non-duplicative and significant targeting efforts are to occur. Such a system must interact with similar systems in other states and with the federal government.

Recommendation

Each state must establish a centralized drug-related intelligence system. To be effective, the individual systems must ensure input from and response to local enforcement agencies and should interact consistently with appropriate state and multi-state systems and the Drug Enforcement Administration's El Paso Intelligence Center (EPIC).

Implementation Strategy

- Governors should direct their primary state drug enforcement agency to begin the development of a statewide drug-related intelligence system, with analysis and targeting capabilities. These systems should be joined with the other appropriate state, multi-state and federal intelligence systems.
  - States that possess such systems should share concepts, ideas and technologies with other states.
  - States should ensure that these systems provide the information to all local law enforcement agencies within their respective states.
  - The individual states should ensure that their systems are linked with appropriate systems in other states, as well as with multi-state and federal intelligence systems.
- Governors should recommend that their appropriate law enforcement agencies develop a mandatory drug statistics reporting system relevant to the measurement of the drug problem and the impact of enforcement efforts.

Fiscal Impact

Costs associated with establishing or enhancing state intelligence systems will vary from state to state. Purchasing a new computerized system, including both hardware and software, is an expensive process. Where computer systems are already in place, such as in those states where responsibility for collecting UCR data is at the state level, costs may be limited to developing necessary software. Some personnel enhancements may also be necessary.

5 Need for Concerted Street Enforcement Activity

Local law enforcement agencies must provide the immediate response to a variety of community demands for crime control. It is difficult for those agencies to dedicate already strained resources to proactive drug prevention and enforcement problems. However, the real direct and indirect drug-related crimes must be dealt with constantly as a part of the required law enforcement response to the community. This response is as adamantly demanded as are responses to violent crime areas.

Recommendation

Governors and legislators of the various states should apply maximum support and effort toward increasing resources (personnel and equipment) of local law enforcement agencies.

Implementation Strategy

- Governors should consider alternative funding options, such as private sources (foundations, etc.) or via legislative mechanisms such as fine and forfeiture allocations specifically earmarked for drug control enforcement programs.
- Governors should promote adequate federal and state support of local law enforcement agencies. Because the drug problem is one of national scope, federal resources are needed to support critical or extraordinary state and local enforcement efforts. Governors should also stress to local leaders their support for the allocation of needed resources to conduct drug enforcement programs, joint operations and cooperative efforts.

Fiscal Impact

State government statistical systems must provide governors with adequate assessments of local drug trafficking problems. Resource support will vary from state to state depending upon the magnitude of the problem, i.e., border state, source state, major distribution point, etc. Governors should assess existing investments to ensure they are addressing the problem as a priority matter. In particular, border states must dedicate a portion of available new resources to the priority problems of drug trafficking and distribution.

6 Need for Standard Legislation

There is great disparity among the states' drug laws. There is evidence that smuggling organizations have taken advantage of some states' deficiencies in legal recourse and probabilities of detection. apprehension and prosecution.

Recommendation

Each state should establish a legislative committee of prosecutive. enforcement. judicial and legislative members to examine and develop a comprehensive system of model and uniform laws dealing with the drug problem. The state bar associations and law schools should be included in this effort. This committee can be a separate entity. or a part of an existing statewide drug activity.

Implementation Strategy

- The Governors should consider the establishment of a committee operating within their respective states to examine existing legislation and determine that state's needs.
- A National Committee should be created, reporting to the NGA Committee on Criminal Justice and Public Protection. This committee will develop a comprehensive system of model and uniform laws dealing with the drug issue and will disseminate the model drug legislative package back to the respective states for their consideration.
- The Governors should see that the federal government assign appropriate representatives to this National Committee to promote uniformity of state and federal laws and serve as a mechanism to transmit states' concerns to the federal legislative process.
- The National Committee should consider at least the following items for the model legislative package:
  - *Racketeer-Influenced and Corrupt Organizations Act (RICO)*: providing for the prosecution of entire criminal organizations and civil forfeiture of real and personal property used in the course of. or acquired with the proceeds of. their criminal activities.
  - *Drug Trafficking Laws*: providing appropriate sentences for drug violators and a graduating scale of penalties commensurate with the seriousness of the violation. and permitting consideration of foreign felony drug convictions in sentencing drug law violators.
  - *Wiretaps*: providing for court-authorized interception of telephonic communications between drug law violators.
  - *Mutual Aid*: providing for definitions of interjurisdictional authorities. liabilities. agreements and resource exchanges within and among the various states.
  - *Mandatory Reporting of Currency Transactions*: requiring financial institutions' reporting of certain transactions to the states. The statute of limitations must provide sufficient time to allow full use of complex law enforcement techniques before arrest.
  - *Conspiracy Provisions*: providing for charging those who direct or participate in drug smuggling ventures to be sentenced as principals.
  - *Mandatory Reporting of Drug Statistics*: to a central entity both within the states and at the federal level to reduce duplicate reporting and to establish a valid data base for problem assessment and resource allocation.
  - *Contraband and Asset Forfeiture Reform*: with application of fines and forfeitures being applied directly to law enforcement programs. i.e., through trust funds.
  - *State Department of Revenue Files Access*: providing for access. with appropriate safeguards. by law enforcement agencies.
  - *Witness and Victim Protection*: providing authority and funding required and making it an offense with significant punishment to annoy or injure a witness or victim involved in the criminal justice process.
  - *Bail Reform*: to more certainly immobilize drug traffickers with less judicial discretion. i.e., where smugglers are known to travel internationally or where violence is predictable.
- Governors should urge that the Congress remove restrictions. with appropriate safeguards. that prevent the Internal Revenue Service from sharing intelligence regarding criminal activities with state and local authorities.
- The President has asked the Congress to continue its efforts to seek passage of essential criminal law reforms. The specific laws mentioned were bail reform. forfeiture of assets. sentencing reform and amendments to the exclusionary rule. The governors should consider supporting the President's initiative in seeking passage of these essential reforms and ensure that these issues are coordinated with similar state legislation reform efforts.

Fiscal Impact

There are minimal state costs associated with this activity.

7 Need for Greater Prosecutorial Commitment

Prosecutors are hindered by heavy court dockets and broad responsibilities that make it difficult for them to dedicate resources to the prosecution of major drug smuggling operations. Alternative approaches to drug prosecution and better coordination among circuits dealing with multi-jurisdictional organizations are needed. Prosecutors should take steps to expedite drug enforcement cases, as has been done successfully in cases involving career criminals. Additional resources are needed for prosecution of highly financed and well-defended drug organizations.

Recommendations

Governors of the various states are urged to encourage prosecutors to include drug cases as a part of their jurisdiction's priority prosecution/career criminal programs.

Governors should develop programs that will attract and retain competent prosecuting attorneys.

Implementation Strategy

- Governors should seek strong commitments from their respective legislatures to ensure that prosecutive offices are given the necessary support to recruit and retain qualified prosecutors for specific assignment to drug cases.
- Governors should urge that state prosecutive officials coordinate with federal task forces and U.S. Attorneys to minimize duplicative efforts and maximize the impact of prosecutive efforts. This effort should include the newly established Law Enforcement Coordinating Committees (LECC) and other recognized processes created to provide mutual federal, state and local assistance.
- Governors should encourage state and local prosecutors to assume leadership in the development and coordination of priority drug investigative efforts and priority prosecution strategies, and urge implementation of special judicial processes that guarantee fair and speedy adjudication of major drug cases.

Fiscal Impact

Direct state jurisdiction over prosecution responsibilities vary from state to state. Where career criminal programs have been implemented throughout the state, major drug cases should be handled on the same expedited basis as a way of establishing priorities and minimizing expenditures associated with prosecution. This effort should include development and implementation of procedures for handling prosecution of both career criminal and major drug trafficking cases on a priority basis. Where prosecution is a shared responsibility of the state and local governments, all levels should work together to expedite the prosecution of career criminals and drug trafficking cases. Most costs associated with a new emphasis on the prosecution of drug cases will be for personnel.

8 Need for Coordination of Efforts of Local Agencies

There is generally no mechanism to provide for local, state agencies to pool their resources and work together on common drug targets. Equipped with the necessary legislation, agencies can draft contractual agreements to effect "joint force operations" or "mutual aid pacts" to expand resource and jurisdictional abilities to attack drug operatives.

Recommendation

The various states should consider development of necessary legislation to develop a "mutual aid system", whereby law enforcement agencies can contractually join together and pool their knowledge, resources and skills toward investigatively attacking drug smuggling networks.

Implementation Strategy

- The Governors should consider, as referenced in the legislative reform section, the development of "mutual aid" legislation to ensure that the law enforcement agencies within and among the various states can contractually join together to effect joint force operations.
- The Governors should ensure that the lead state law enforcement agency coordinates with local law enforcement agencies so that their operational concerns and initiatives are effectively coordinated with federal task force efforts.

Fiscal Impact

Development of "mutual aid" systems will require a dedication of time by existing personnel and minimal support resources.

Additional Presidential Initiatives

In addition to the recommendations made by the President that have been included in the previous discussions, the following presidential initiatives are also worthy of strong support by the NGA.

- The President has called for a Cabinet-level Committee on Organized Crime, chaired by the Attorney General, to review and coordinate all federal efforts against organized crime.
- The President has requested that the Attorney General prepare an annual report to the American people to report on progress and needs in the drug fight.
- The President has requested that additional prison and jail space be provided to meet the need caused by the creation of the twelve task forces.
- The President recommends that emphasis be placed on training of state and local law enforcement personnel.

BY

JAMES B. ADAMS

DIRECTOR

TEXAS DEPARTMENT OF PUBLIC SAFETY

Chairman Rangel and distinguished members of this committee, I wish to thank you for the opportunity to present my testimony today regarding the drug trafficking and drug abuse trends in Texas.

The Texas Department of Public Safety through its Narcotics Service has been and is currently committed to reducing drug trafficking in Texas and the United States. Over the past several years, Texas law enforcement officials have seen a change in drug trafficking trends within the State. Although the changes have not been deemed drastic, they have caused law enforcement officers to alter their enforcement efforts to some extent.

Marihuana smugglers continue to utilize land vehicles, general aviation aircraft and marine vessels to import marihuana into Texas. One gradual change deals with the land smugglers bringing marihuana across the border in private vehicles. In the past, it was not uncommon to seize 100 - 300 pounds of marihuana from the trunk of a smuggler's vehicle entering Texas. Today, however, the trend seems to be for smugglers to break up larger loads and utilize more vehicles. Seizures made from private vehicles now yield only 25 - 50 pounds of marihuana in each vehicle. This may be an attempt by smugglers to reduce their losses resulting from seizures and to avoid recently passed legislation which provided stiff, mandatory sentences for persons convicted of trafficking in large quantities of narcotics.

South Texas continues to play a significant role in marihuana smuggling by general aviation aircraft. Much of the marihuana smuggled into Texas is accomplished through the use of general aviation aircraft. Because of its close proximity to Mexico, and because of its vast, sparsely populated counties, South Texas provides air smugglers a safe place to land for refueling and/or offloading of its contraband cargo. This refueling or offloading segment of the smuggling operation can normally be completed in approximately ten minutes and for this reason, often goes undetected. During 1982, a total of 36 marihuana laden aircraft were seized by law enforcement agencies throughout Texas. In addition, 10 marihuana related air crashes were reported. The first 10 months of

1983 have yielded 25 drug related aircraft seizures and 3 drug related air crashes in Texas. Our State has an extensive land border with Mexico, a major source country for marihuana, and the majority of this border is untouched by radar. As long as this condition exists, the smuggling of marihuana by general aviation aircraft is going to continue to be a major problem for Texas law enforcement officials and the State's citizens.

Law enforcement agencies in Texas have been concerned that the multi-agency enforcement effort in Florida would cause the marine smugglers to shift their operations to the Western Gulf of Mexico, including Texas and Louisiana. During 1983, 2 vessels were seized off the Texas coast for transporting marihuana. Thus far in 1983, an additional 2 vessels have been seized attempting to import the drug. It is believed that more vessel seizures could be made if additional law enforcement manpower and resources were made available to support a stronger law enforcement effort in this area. The shift of drug trafficking operations from Florida to Texas has been especially evident in the trafficking of cocaine. In only the past 2 months, two separate seizures have yielded approximately 140 pounds of cocaine seized in Texas. This abundant supply of cocaine has also been supported by the simultaneous drop in the price of cocaine while the percentage of purity remains high.

One of the most significant trends set in recent years has been the emergence of clandestine laboratories being operated throughout Texas. Texas, for the third straight year, ranks first in the nation in the number of clandestine laboratory seizures. This statistic is evidence of the fact that Texas also leads the nation in the amount of illegal drugs being manufactured. During 1982, 19 laboratories manufacturing illegal drugs were put out of operation by the Department of Public Safety in cooperation with other police agencies. Through October, 1983, 24 clandestine laboratories have been seized and reported to our Department. In 1983 alone, methamphetamine and amphetamine valued at over 6 million dollars has been seized from these illegal laboratories. Chemicals and laboratory equipment present at these sites provided the capabilities of producing many times that amount of illegal drugs had the laboratories not been seized. It too, is important to point out that the figures only reflect seizures in which the Department of Public Safety was involved. Seizures made by other agencies working without assistance from the Department make actual seizure amounts much greater.

Although the quantity of marihuana seized in recent years in Texas has not increased significantly, the quality or T.H.C. content of marihuana being seized has increased dramatically. This is due primarily to improved cultivation techniques being utilized by growers both abroad and especially here in Texas. Domestically grown marihuana has been on the increase in Texas recently, a trend already established in other states such as california, Oklahoma and Hawaii. Thus far in 1983, 36,272 marihuana plants have been eradicated by Texas law enforcement authorities. These marihuana plants were located in 88 separate plots found in 55 Texas counties. A total of 94 suspects involved in this domestic marihuana cultivation have been arrested in 1983. The Department of Public Safety continues to cooperate with other enforcement agencies (state, federal and local) in an attempt to identify domestic marihuana suspects and to discover the illegal marihuana fields. Our Department has combined manpower and resources with the National Forest Service and the Drug Enforcement Administration in dealing with this problem. An intense program was conducted during 1983 in Texas which utilized Department aircraft to fly many aerial surveillance missions covering thousands of acres of national forests and other Texas lands in an attempt to locate and eradicate additional marihuana fields.

The Triplicate Prescription Program was established by the Texas Legislature in 1981 as a method for controlling the diversion of legitimate drugs into the illegal market. In 1982, the first year of the program, statistics indicate that there was a 48% reduction in Schedule II prescriptions written in Texas. In the first 9 months of 1983, an additional 13% reduction has been noted. This reduction in prescriptions written is deemed to have made a significant impact on the diversion problem which touches not only South Texas but the entire state.

Drug abuse is the non-medical use of any drug in such a way that it adversely affects some-aspects of the user's life. Drug abuse is deemed by many as the most serious criminal and social problem facing the nation and the State of Texas. Research conducted by the U. S. Department of Health and Human Services estimates that 27% of our 12 - 17 year olds have tried marihuana while 64% of our 18 - 25 year olds have tried the drug. Approximately 90% of all heroin users began their drug experiences with the use of marihuana, the "gateway" drug. The declining student scores on national education tests indicate that drug use, among other factors, has affected the students' desire and ability to learn. The long-term effects of the drug abuse situation are much more critical in that often drug abusers fail to become productive citizens and often leech off of society in an attempt to support their drug habits. Research conducted by the Department of Justice in 1979 reflects that one-third of state prison inmates were under the influence of an illegal drug when they committed the crime for which they were serving their sentences. Approximately 78% of the inmates surveyed admitted having abused drugs at some time in their lives. This research also indicated that 25% of all burglaries and 20% of all robberies and 50% of all drug offenses were committed while under the influence of marihuana. Approximately 12% of all robberies and 10% of all larcenies were committed while under the influence of heroin. Additional research results indicate that one-half of the inmate population surveyed had been daily drug users at some point in their lives, while 40% of the inmates admitted to a recent use of drugs on a daily basis. These significant statistics indicate that there is a definite relationship between drug usage and crime.

The drug awareness and abuse prevention effort in Texas has been maintained statewide by the Texans' War on Drugs Committee in cooperation with organized civic groups and state and local law enforcement agencies. This dedicated group has been successful in reaching many parents, teachers and our youth and providing them with scientific findings regarding drug abuse. The Texans' War on Drugs Committee has solicited and received active participation and support from these concerned citizens across the state in the fight against drug abuse.

Thank you.

TEXAS GOVERNOR'S OFFICE

CRIMINAL JUSTICE DIVISION ACTIVITIES TO COMBAT NARCOTICS AND DANGEROUS DRUGS TRAFFICKING IN TEXAS GULF COAST AREA

PRESENTED TO: U.S. HOUSE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL
CORPUS CHRISTI, TEXAS
DECEMBER 13, 1983
BY MR. FRED LEE

The scope and significance of the involvement of organized crime in drug trafficking has been established in all areas of the state. In an effort to assist metropolitan areas with specialized units to combat organized crime and control drug problems, the Governor's Office through the Criminal Justice Division has provided financial assistance designed to increase the effectiveness of multi-agency organized crime, narcotics, and dangerous drug control units.

During FY'84, 9/1/83 - 8/31/84, the Criminal Justice Division will fund eleven multi-agency organized crime control units and two narcotic enforcement units. In addition, this Division has provided funds to the Department of Public Safety to support the Electronic Surveillance of Drug Traffickers, and funds to Drug Abuse Research and Education Foundation, Inc. (DARE) to support the very successful Texans War on Drugs Project.

Multi-agency organized crime control units in FY'84 will be funded in the total amount of $1,748,986. Four of the funded multi-agency organized crime units are in the Texas Gulf Coast area. These multi-agency organized crime and narcotic units have all been active for more than ten years and all have established outstanding records.

The funded multi-agency orgainzed crime units in the Texas Gulf coast area are the Harris County Organized Crime Unit, the Corpus Christi Organized Crime Unit, the Galveston County Organized Crime Unit, and the Cameron County Organized Crime Unit. For FY'81 and FY'82 the four funded multi-agency organized crime units in the Texas Gulf Coast area recovered stolen property valued at approximately $11,200,000, seized contraband valued at more than $84,000,000 and made 998 felony arrests. Most of the felony arrests were for narcotic violations.

The Harris County Organized Crime Unit (funded in FY 1983 for $188,612) during nine months of grant period had recoveries of stolen property valued at more than $4,500.000, seized contraband street-valued at almost $6,000,000, and made 189 felony arrests; Corpus Christi (funded in FY 1983 for $124,641) for six months of grant period recovered stolen property valued at $73,250, seized contraband street-valued at $120,945 and made eighty felony arrest; the Cameron County Organized Crime Unit (funded in FY 1983 for $86,912) during nine months of grant recovered stolen property valued at $433,000, seized contraband street-valued in excess of $3,000,000, and made 75 felony arrests; and the Galveston County Organized Crime Control Unit (funded in FY 1983 for $126,268) recovered stolen property valued at $1,068,472, seized contraband street-valued at $4,985,473, and made 165 felony arrests.

CJD has supported the Electronic Surveillance of Drug Traffickers during the period 8/31/81 to 3/31/84 with grants to DPS in the amount of $1,164,674. The current grant to DPS to support the electronic surveillance of drug traffickers is in the amount of $364,515.

In the fourth year of funding by CJD is a grant to the Drug Abuse Research and Education Foundation, Inc. (DARE). Current year funding for support to DARE is $375,760. DARE has a regional office at Universal City, Texas that serves the Texas Gulf Coast area. DARE directs its efforts to reduce drug abuse by working with juveniles, parents, law enforcement groups, PTA, teachers, and service organizations to conduct programs to reduce and control drug related problems.

In addition to the indicated specific drug related programs supported by CJD, support to an Auto Strike Force at Brownsville and a Burglary Task Force at Corpus Christi are examples of projects connected with drug related crime. Also funded by CJD is specialized law enforcement training that is available to narcotic officers.

Development of strategies and techniques to control drug smuggling and trafficking in Texas, especially in the Texas Gulf Coast where a large percent of controlled substances enter the state, is a major concern of Governor White and his administration. Funds available to the Criminal Justice Division will continue to be prioritized to give maximum support to law enforcement agencies dedicated to the control of drug smuggling and trafficking.

RICHARD HARTLEY

A Description Profile of The Drug Offender in the Texas Department of Corrections

Thank you, Mr. Chairman for inviting me to speak before this distinguished committee. The Texas Department of Corrections appreciates the opportunity to share information with you on this very important issue.

The Department of Corrections is the agency in Texas charged with the responsibility of incarcerating convicted adult felons.

The mission of the Texas Department of Corrections (TDC) is mandated by Article 6166 of Vernon's Texas Civil Statutes. The law requires that TDC manage a modern prison system for the citizens of Texas in accordance with prescribed law and policies set by the Texas Board of Corrections. It is the policy of the Department to humanely secure committed felons, achieve self-sufficiency to the extent possible through programs of work and to provide programs of treatment offering opportunities for reformation.

Currently, the inmate population of the Department numbers just over 36,000. These inmates are housed in twenty-six separate correctional facilities spread throughout the East and Southeast portion of the state.

In Texas, as found across the country, many of the offenders incarcerated are confined due at least in part to an involvement in illegal drugs.

Recently released results of a national survey conducted by the Bureau of Justice Statistics (BJS), a branch of the U.S. Department of Justice, seem to indicate that over half of the inmates now confined in this nation's prisons were using drugs during the month prior to commiting their current offense. In Texas prisons, estimates indicate that about 80 percent of the inmate population have admitted histories of drug dependency or addiction and/ or alcohol abuse. The purpose of this presentation is to outline the characteristics of the drug offender in the Texas Department of Corrections (TDC) and to examine the programs utilized for treatment. The scope of the problem will be discussed first, followed by a description profiling the inmate who is incarcerated as a direct result of drug involvement. The third topic I will present is the results of an intensive review of a random sample of drug offenders in TDC. The final portion of this presentation examines the treatment program provided for substance abusers.

In any examination of the relationship between drug use and criminal activity, accurate statistics are difficult to obtain. Most statistics are the result of self-reported data, so the validity of the findings depends entirely upon the truthfulness of the person reporting. As a general rule, one would expect that self-report figures are probably conservative as some persons may be reluctant to report use of an illegal substance.

Another problem is encountered when attempting to identify the offender who is engaged in criminal activity due to his involvement in drug use. It is a fairly simple matter to extract the number of inmates who are incarcerated as a direct result of drug involvement (i.e., those convicted of possession or sale or manufacture of drugs). Much more difficult is the identification of those inmates convicted of other crimes (robbery, burglary, etc.) as an indirect result of drug involvement (i.e., robbers who rob to support a drug addiction).

The March 1983 Bulletin of the Bureau of Justice Statistics released the results of a national survey of state prison inmates. The results of this self-report survey indicate that the connection between drug abuse and criminal activity continues to be strong. More than half of the state prisoners surveyed said they had taken illegal drugs in the month prior to committing the crime. Some of the significant findings of this survey were:

- Half of all drug offenses were committed while under the influence of drugs.
- Approximately 25 percent of all burglaries and 20 percent of all robberies were committed under the influence of marijuana.
- About 12 percent of all robberies and 10 percent of all larcenies were committed under the influence of heroin.
- 78 percent of the inmates questioned had used drugs at some time in their lives.
- About half of the inmates had been daily drug users at some point in their lives, with nearly 40 percent having recently used drugs on a daily basis.

In Texas, 52,091 drug arrests accounted for almost six percent (5.96%) of all reported arrests in 1982. Most of the arrests were for possession of drugs (91.9%). Only 8.1 percent of the arrests were for the sale of drugs. Marijuana arrests accounted for over 70 percent of the arrests. Data from the first six months of 1983 indicate that the number of arrests for sale of drugs has increased slightly (composing 9.1 percent of all drug arrests). Arrests for the sale and possession of drugs have contributed heavily to the caseload upon Texas courts.

The Annual Report for 1982 published by the Texas Judicial System notes that drug cases comprise 10.9 percent of all criminal cases added to District Courts and 9.7% of all criminal cases handled by County Courts.

Of 9,555 District Court cases handled, convictions resulted in 5,948 cases; there were 64 acquittals; and, 3,543 cases were dismissed. Over 2,000 cases resulted in TDC convictions. A cumulative total 38,457 years of TDC or jail time was assessed in 2,375 cases (an average sentence per case of 16.2 years).

At the County Court level, 47,843 drug related cases were on the docket resulting in 15,401 convictions, 116 acquittals, 12,156 dismissals and 436 other dispositions. 19,734 cases were still pending in County Court at the end of 1982.

During 1982, a total of 1,497 inmates were admitted to TDC for drug offenses. This figure represents 8.97 percent of all admissions to TDC in 1982. These inmates include only those incarcerated as a direct result of their drug involvement. Approximately 75 percent of the admissions were 25 years of age or older.

On November 29, 1983, there were 2,197 drug offenders on hand in TDC. The drug offenders comprised 6.1% of the total TDC population. The Gulf Coast Area accounted for 1,024 (46.6%) of the offenders; East Texas contributed 513 (23.4%); South Texas 324 offenders (14.7%); West Texas sent 204 (9.3%); Central Texas 76 (3.5%); and, North Texas 56 (2.5%).

PROFILE OF THE DRUG OFFENDER IN TDC

Twelve characteristics were chosen to use in developing a profile of the drug offender in TDC. The twelve characteristics are age, sex, race, marital status, religious preference, educational achievement score, I.Q. score, maximum length of sentence, number of prior confinements in TDC, prior confinements [illegible] prisons, prior confinements in reformatories, and number or probated sentences.

Characteristic Summary

The characteristics of the offender in TDC as a direct result of drug involvement (usually for possession, sale or manufacture of illegal drugs) indicate that these inmates tend to be older (33.8 years) male inmates. The offenders are predominately whit- or hispanic inmates who are or had been married, and who express a preference for either protestant or catholic churches. The offenders generally have a seventh grade educational achievement level and tend to score in the lower end of the normal range in I.Q. Most are serving sentences of less than 10 years and have been confined in TDC at least once previously. The large majority of the drug offenders have been place on probation at least one time prior to incarceration in TDC.

This profile tends to lend support to the idea that drug involvement is a life-long habit resulting in chronic contact with law enforcement agencies, the courts and corrections.

DRUG OFFENDERS SAMPLE DATA

In order to obtain further insight into the drug offender profile, a random sample of drug offenders in TDC was selected. The 59 inmate sample compared favorably with the general drug offender population in all major demographic areas and was thus found to be a representative sample.

A search and review of the record summary card on inmates in the sample revealed that most of the inmates in the sample had a history of drug involvement extending back several years. About 80 percent of the group reported a history of drug use, [illegible] percent reported history of drug possession arrests, and 60 percent reported a history of selling drugs. Records also revealed that most users began in the teens and early twenties, with admitted addiction by the age of 23 (among the 24 percent who admitted an addiction).

Arrest records reveal that the majority of the inmates had been arrested about 3 times for drug-related offenses, 3 times for property related crimes and 3 times for crimes of violence. About 8.6 percent of the sample was incarcerated for multiple offenses. Theft, burglary, possession, delivery of a controlled substance, burglary of a motor vehicle and forgery were common offenses that often found as multiple offenses.

The major portion of the offenders were in TDC as a result of a conviction on a charge of possession (64 percent). The remainder were incarcerated as a result of sale or distribution (45 percent). Note that some overlapping of offenses occurs with these offenders (i.e., some may have current offenses for both the possession and use of a drug).

The most commonly used drug by far, was marijuana. Nearly 83 percent of the sample used heroin; 29 percent cocaine; 27.5 percent methamphetamines; and, 21 percent barbituates.

THE TDC ALCOHOLISM/DRUG PROGRAM

The TDC Alcoholism/Drug Program provides a treatment program for substance abusers incarcerated within TDC. Because of the similarities and quite often, the overlapping of the problems of alcoholism and drug dependency/abuse, the TDC program is directed towards both the alcoholic and the drug addict. Estimates indicate that approximately 80 percent of the TDC inmate population is in prison either directly or indirectly because of alcohol and/or drug dependency. Thirty counselors and two Supervising Counselors are authorized and assigned to TDC units to provide counseling services designed to assist chemically-dependent inmates orient themselves in a direction free of the influence of alcohol and drugs.

The major elements of the program are Alcoholics Anonymous (AA) meetings (which in TDC include drug users), therapeutic group counseling sessions, alcohol and drug education and study sessions, individual counseling, pre-release programs and unit orientations. The overall goal of the Alcoholism/Drug Program is to encourage the client to reject previous negative behaviors and attitudes, develop more mature behaviors and more satisfying and realistic value systems; thus creating a greater sense of personal worth within the individual and concurrently reducing or eliminating alcohol/drug dependency.

The program is designed to motivate participants toward alternatives response styles to alcohol/drug abuse, and emphasizes performance of stated behavioral objectives.

The treatment environment is relatively structured, and one in which clients are encouraged to work at their own pace to achieve successive levels of development. Each activity in the program is structured to promote specific skills that may be generalized to work, social, and personal areas both in and out of prison.

The objectives of the program are:

- To assist participants in adjusting to life within the Texas Department of Corrections, in gaining interpersonal skills and self control, and thus, realizing fewer disciplinary problems than non-participants.
- To emphasize alternative means of handling those situations which in the past have led to alcohol/drug abuse behaviors.
- To help participants realize they have choices in selecting

responses to situations.

- To instill in participants an aversion to alcohol/drug abuse.
- To emphasize productive use of leisure time.
- To help familiarize inmate clients with community coping skills.
- To provide opportunities for gradual assumption of personal responsibility by the participants.
- To help ensure client familiarity with the moral and social aspects of drug abuse, and the legal consequences of such abuse.

Budget

The TDC Alcoholism/Drug Program (TCA) is funded in a large part by efforts of the Texas Commission of Alcoholism (TCA) Funding for the TDC program is obtained by the TCA and transferred to the Department of Corrections for the sole purpose of operating the Alcoholism/Drug Program. This funding is augmented by additional funding by the Department of Corrections. In FY '84 the TCA is providing $604,649 and in FY '85 $613,513 of primary funding.

Program Participants

In late 1980 and early 1981 the TDC Alcoholism/Drug Program and representatives of Sam Houston State University's Criminal Justice Center conducted a comprehensive survey of the program participants. Many of the findings of the survey parallel findings by the Bureau of Justice Statistics survey discussed earlier. Results of this survey indicate:

- Over one-third (37%) of the program participants were using alcohol at the time of or just prior to the offense for which they were serving time. 15% were using alcohol and pills; 20% using alcohol and marijuana.

- Only 30% said their crime was not the result of drug or alcohol use.
- 42% of the participants claim that the crime was committed to support their alcohol or drug addiction.
- Almost half (47% of the participants reported that there was never a time when they were arrested when they had not been drinking or using drugs.

Inmate Interviews

Interviews with sample inmates were conducted at nine prison units. The interview was directed towards learning more about the motivation for drug involvement and the extent of treatment program involvement.

The majority of the sample (52 percent) considered themselves to be drug users only. 27 percent considered themselves to be both drug users and drug dealers. Nearly 14 percent called themselves only a dealer. The remaining 7 percent of the sample considered themselves involved to such an extent in drugs that they used, sold, and manufactured them. Of those inmates who considered themselves dealers or manufacturers of drugs, over one-third (38 percent) reported their dealing and/or manufacturing was to support their drug use habit.

The primary reason cited for drug involvement by the inmates interviewed was peer group pressure. About 64 percent of the group cited the influence and pressure of friends as one of the reasons for getting involved with drugs. The second ranking reason for drug involvement was experimentation (45 percent). Nearly 39 percent reported that the need for money contributed to their drug involvement. Only 9 percent reported that their home environment contributed to their drug involvement. Other reasons cited included "boredom"; "something to do"; "need to keep going;"

and "need to stay awake".

Over forty percent of the drug offenders interviewed reported that their drug involvement led them to commit other violations of the law. The most frequently reported law violation was burglary. This offense was followed by robbery, shoplifting, car theft and forgery.

When questioned about the progression of their drug involvement, most of the sample reported an initial use of marijuana (and sometimes alcohol) which gradually led to the use of other drugs. Some reported that the popularity of certain drugs (particularly, cocaine) was part of a drug changed, the use changed as well.

Most of the inmates in the sample had never been a participant in a drug treatment program prior to their TDC incarceration. Only 11 percent of the sample reported participation in the TDC Alcoholism/Drug Program. The most commonly cited reason for not being in the program was a feeling that they did not need any help.

Each of the inmates interviewed was given opportunity to share thoughts on making people more aware of the drug situation. Several representative themes were found in these comments:

- Drug use is more extensive than most parents realize.
- Drug use leads to "bad news" all the way around. Other people are hurt by it and loss of contact with the "real world" makes coming down even worse. "The highs are not worth the lows."
- Marijuana use does lead to other drugs, not so much by a natural progression alone, but by associating yourself with other drug users in an environment ripe for experimentation and fads. "Marijuana is a step in the wrong direction. You can buy it with your allowance."
- Education of young children in school as to the consequences of drug use is the best tool for combatting drug abuse.

A detailed report on drug offenders in TDC is now being compiled and should be available to members of this committee upon completion. Once again, I would like to express appreciation for the invitation to speak before this committee. Please feel free to contact us at any time if we can be of assistance.

Thank you.